1897-8

Previous references.

~~S.R. 17 (1895)~~ 191

(Sep. Revenue

File No. 56 of 97-8

Serial Nos. 1—6

Later references.

(32)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—6

Major ~~Part~~ B. for July 98

SUBJECT

Grant of free licenses to the European Planters' Clubs in the Kadavu Hasaan Distr. for the use of Foreign liquors.

Sl 1 From, the Ex Commr Dy No 3554 Ex 197

L No 4034 D1 3.11.97

176

Recommends for the grant of free licenses under foreign liquor Rules to the European Planters' Clubs in Kadavu Hasaan Distrs.

Sl 2 To, the Ex Commr No 6829

D1 24 1 98 Ex 246

G. R. S. 58 Requests information as to the existing "Local Practice" obtaining in British India in the matter of the

GPS—4,000—4-11

Sale of Foreign ... in cases of ...
... provision in the Supreme Rule
... the grant of free licenses.

3 From, the Ex. Commr. to No. 8
L No 1871 & 18.5.98. Ex 4
410
submits copy of correspondence
from D. C Kaeleer & states that he
of opinion that no licenses ...
be issued to the "Kaeleer Clubs",
Sakalesper Planters' Clubs.

4. From, the Ex. Commr. to No 53
L No 75 & 4.7.98. Ex. B
5
Submits copy of communication
from the D. C. Hosean about
the Club at Sakalesper & Solicit
early orders to the matter.

5. To, the Ex Commr No 738
& 26.7.98. Ex 39

~~Cost are fixed to~~
Exempts Clubs of the ordinary
Kind and not being of
proprietary Character.

To, the Compiler, Supreme Secretariat
SL6. No 739 & 26.7.98
Ex 40
Requests him to notify the above
Three Secretaries issues.

To, the Ex Commr No 740 & 26.7.
Ex 41
Forwards copy of the above
for information.
noted

H. B. Thomman

CHIEF SECRETARY'S OFFICE.

REVENUE BRANCH.

OFFICE NOTE.

SUBJECT. Granting of free licenses to the European Planters' clubs in the Kadur and Hassan Dts. for the use of Foreign liquors.

LAST REFERENCE. Letter No. 4034/176 dated 3rd November 1897 from the Excise Commr. in Mysore

Serial no 7 on file

In the correspondence ending with the Excise Commrs. letter no 2154/158 dated 2nd October 1896, the question raised for orders of Govt was whether clubs and bodies of individuals purchasing liquor on the co-operative system are entitled to the exemption from license fee conferred by Sections 12 and 21 of the Excise Act in the case of the purchase of spirit by any person for his private use and that of the sale of Remnant

7

of such spirits. Government in their Proceedings No. 5488-89 / 2215 Serial No. 4 on the 15th December 1896, decided the question thus:—

"that Clubs, Corporations and other bodies which have a distinct existence apart from the individuals composing them can as such clearly have no "private use" for liquor and are therefore not entitled to any exemption" and

that the case of a Cooperative Society, that is, of a number of persons who join together and purchase liquor is essentially different; the purchase being in this case one made for private use by a body of persons instead of by a single person and being really equivalent to different transactions by different individuals composing the Society, and that no license can therefore be insisted upon" &c.

In pursuance of this ~~Govt~~ order certain clubs in the Kadur and Hassan Districts were called upon by the Excise Department to take out licenses as they ~~are~~ were not entitled

to

to exemption under Sections 12 and 21 of the Excise Act. The Deputy Commissioner of Kadur in his letter addressed to the Excise Commissioner (forming enclosure to the Excise Comm^r's letter under disposal) discussed the question at length and expressed the doubt as to the right view of the question taken by Govt. in their Proceedings of 15th December 1876, quoted above, arriving at the same conclusion however as Government did, but on somewhat different views of the question, the Deputy Commr. suggested the grant of free licenses to such clubs, with a view to meet the hardship caused by the ~~enforce~~ operation of the ruling, inasmuch as the practice now adopted in Mysore is at variance with the law & practice obtaining in British India and elsewhere.

The Excise Commissioner in the letter under disposal recommends

that, under the circumstances represented by the ~~Excise~~ Deputy Commissioner Kadur District, free licenses may be granted to the European clubs in Hassan and Kadur districts.

Submitted for orders.

If free licenses are granted to the European clubs alone as suggested by the Excise Commr. it is a point for consideration whether Native Clubs (if any) may not claim the same indulgence.)

24/11/97

I do not know if Mr. Weir's criticism of the Govt order of 5-11-96 is quite just. A club is one thing and each individual member is another. The very admission that the club sells liquor to its members for a money price (vide para 10 of his letter) shows that the two entities are distinct, tho' one may be an aggregation of the other.

The club, by the very fact of its selling the liquor to its members, cannot be said to have any private use for it.

However, the question now is whether free licenses should be granted to European planters' clubs as recommended.

4/12/97.

6/11/98

(1) Is there any provision in the Excise rules for the grant of free licenses?

(2) See Weir, refers in para 12 of his letter to the "Law & practice of British India" - Pray refer.

6-1-98

6/1/98

Govt with note

Submitted with reference to the Secretary's queries dated 6th January 1898.

query no 1

no distinct provision is made in the Bombay Excise Act for the grant of free licenses but section 56 empowers to exempt articles and persons from the operation of all or any of the provisions of the Act.

no (2) About law & practice obtaining in British India in the subject under reference, nothing is mentioned in the Madras Rules, excepting a general provision made for the issue of special licenses in cases other than those enumerated in the notification no 448 dated 25th January 1895 Rule VII page 553.

With regard to existing practice, the excise Commr in one of his letters states in connection with Bangalore clubs in the following terms

× Serial no 7 on file

Bombay Excise

b. "no license fees are paid by the clubs to Government for liquors and no liquors are sold to outsiders."

A draft is also submitted for appl.

Note

Whether clubs like those at Kadur and Sakleshpur can claim exemption from taking out licenses for foreign spirit and foreign fermented liquor is the question for consideration.

The Excise Act in force in Mysore does not provide for exemption in respect of foreign spirit or foreign fermented liquor unless

(1) it is procured by a person for his private use and sold by him or by auction on his behalf or on behalf of his representatives on insolvency upon his quitting a station or after his decease [S. 12, proviso (a)]

or unless

(2) it is in the possession of a person who has purchased it for his private use and not for sale. [S. 21, proviso (a)]

Evidently the first condition is not applicable to a club, which cannot be said to die or to quit a station.

Whether the second applies or not depends upon the view taken of the relation of the club to its members. If possession of liquor by the club constitutes possession by the members so that a sale by the former to the latter is impossible, then undoubtedly the claim to exemption from license is a valid one on any other

other assumption, it is not so.

It seems to me that liquor cannot be said to be, at one and the same time, in possession of the club and of its members, except in different senses of the word "possession." It may be that ultimately, the members are the joint proprietors of the entire assets of the club and are, on its failure or dissolution, entitled to share the same among themselves, just as they are, on the other hand, bound to pay off debts contracted by it. But as long as the club is in a working order and no division of its property is contemplated, an individual member does not ordinarily obtain possession of any article of consumption except on payment or on promise of payment. Accordingly in all such cases there is really a transfer of possession for consideration which constitutes a sale.

This is also the view held in ordinary cases of the relations between a club and its members.

But in Madras, where the law is that "no liquor shall be sold without a license" and that "selling includes any transfer otherwise than by way of gift," the view recommended by the Board of Revenue is the one submitted by the Advocate General, viz that, so far as clubs of the ordinary kind and not of a proprietary character are concerned, licenses to sell liquor need not

not be taken out. [Vide encls. to Ex. Com's last letter No. 1071/41 of 10.5.99.]

This opinion of the Advocate General is not authoritative, and seems to me to err in overlooking the obvious fact that if transactions of the kind in question are not sales (as supposed) they must be gifts, which is absurd

The liability of clubs to take out licenses under the Excise Act is one admitted by Mr. Weir himself, the late Dy. Com. of Madras, to clearly follow from a construction of the Act. [Vide para 11. of his letter No. 242 of the 20th Oct. 97 to the Collector = Encl. to 1 No. 13]

Mr. Weir, however suggests that the enactment of licenses from clubs in this State will be regarded as a hardship by them both because it is an innovation and because it is a variance with the law (?) and practice obtaining in British India and elsewhere; and he therefore recommends that a free license may be granted to clubs who import and sell foreign liquors to members only.

This it seems advisable to do in exercise of the power of exemption which the Govt possesses under S. 56 of the Act.

I do not think any modification of the order of 15-12-96 is necessary.

Subs to Secy

22/6/99

he need not be so technical. Exercise discretion as now. Non-military Clubs form the exception of the Rule regarding licenses

22/7/99

Returned from the
Secretariat on 21st Dec 97.
with submitted to Secretariat Records
under Secy
21/12/97

S.R. No 156 of 1897-8

S.R. No 13

1897

No. 3554
No. 8 1897
9 NOV. 97

From The Deputy Commissioner
in Mysore

To

The Secretary to Govt. of Mysore.

Dept.

Dated 5 November 1897

Despatched 18

Received

General No. 4034

No. 176

Enclosure No. 1

In reply to

SUBJECT.

Recommends that under the circumstances represented by the Deputy Comr. Kadur district, facilities may be accorded to the European Planters' Clubs in Kadur & Hassan districts for the use of Foreign liquors.

References (to be entered only in the Dewan's Office.)

Read 20/11/97

Dewan 19-11-97

Returned to Secretariat office not a copy

24/11/97

2

No: 4034/176 Revenue 1 Excise Commissioner's office
Bangalore 3rd November 1897
18

From

The Excise Commissioner
in Mysore

To

The Secretary to Government
General and Revenue Department

Sir,

In submitting herewith, copy of the marginal correspondence for the orders of Government, I have the honor to state that the clubs therein referred to, have been called upon to take out the requisite licenses as it has been ruled in para 1 of

1. Letter dated 10th July 1897 from the Honorary Secretary, Sakleshpur Planters' Club, to the Deputy Commissioner, Hassan District.
2. Docket No: 665, dated 20th October 1897 from the Deputy Commissioner, Hassan District.
3. Letter No 242, dated 28th October 1897, from the Deputy Commissioner, Kadur District.

S. R. F. 17/1894-95

3

5488-89
Ex: 2/95

of Government Proceedings No. dated 15th December 1896, that they are not entitled to the exemption referred to in sections 12 and 21 of the Excise Act, in regard to the private use of Foreign liquors.

S. Ref

2 The Clubs purchasing Foreign liquors and issuing the same to the members thereof, will have to pay the same license fee as "Refreshment-rooms," viz; Rs 25 per annum under the Foreign liquor Rules, as there is no other distinct fee prescribed. But under the circumstances represented by Mr Weir I beg to recommend that a free license may be issued to the European Planter's Clubs in Kadur and Hassan Districts.

I have the honor to be,
Sir,
Your most obedient Servant,

J. Meredith Jr

Excise Commissioner
in Mysore

Munperabad Club 4
Sakleshpur

Ex. Closed to 31st July 10th 97

To,
The Deputy Commissioner of Excise
Hassan District

Sir,

The local authorities have called upon me to pay a license fee of Rs25 per annum as a Refreshment room for the above club. A paragraph in Meysore Government Proceedings Excise dated 15th December 1896 No 5488-89 Ex 215 dated Bangalore December 15 1896, reads as follows "clubs, corporations, and other bodies, which have a distinct existence, apart from the individuals comprising them, can as such clearly have no "private use" for liquor and are therefore not entitled to any exemption" — I would beg to point out that this club has "no existence apart from the members" and that therefore we are exempt from a license, as our liquors are only for private consumption

"Signed" Thos Hunt
Hon: Secretary.

"Copy"

1897

5

1897

From.

The Deputy Commissioner

Hassan District

To.

The Excise Commissioner

in Mysore

Dated 20th October 1897

No. 665 Mis En 1.

The undersigned has the honor to forward, herewith, in original (to be obligingly returned) the list which has been given by Mr Thomas Hunt, Secretary Sahlespure Planters club, showing the different kinds of brands of liquors which will be purchased for consumption in the club. A note has been made in the list stating that the amount of license fee has been paid under protest, the chief reasons for which appear to be that no license has been obtained for the club, which has been in existence for some years at Bluchnaglur, and, further, that the obtaining of a license will place the club on a par with public houses which are resorted to by all classes and open to the constant inspection of Excise Subordinates.

2. Government Proceedings No 5405-89 / Ex 215, dated 15th December 1896, have been shown to Mr Hunt and the undersigned requests to be favored with instructions on the point

(Signed) J W. Kinglit
For Deputy Commissioner
Hassan District.

No. 242.

Deputy Commissioner's Office
Kadur District
Dated Chickmagalur 28th October 1897

From,

The Deputy Commissioner
Kadur District.

To

The, Excise Commissioner,
at Mysore

Sir,

In reply to your docket No 3279/88 dated 22nd instant I have the honor to state that no license has as yet been taken by the Kadur (Chickmagalur) Club

2 The reason why a license has not been taken as yet by the club, is that the order of Government dated 15th December 1896 No 5488-89 Ex 215, is not clear on the subject, and that the question was believed to be still under the consideration

of

of Government

3. The test suggested in the Government Order of 15th December 1896 that is to say that of (1) a club having a distinct existence apart from the individuals composing it and (2) the club having consequently no "private use", for liquor seemed to me of doubtful application in the case of the Kadur Club.

4. It may perhaps be thought difficult to conceive of a club or association having an existence independent of the aggregation of members forming the club but granting that there may be such clubs, there can I think be little doubt that the transactions of the Kadur Club in liquor i.e. or for the private use of members of the club in the ordinary sense of the term private that is to say they are for the individual use and benefit of the members of the club.

5. Moreover the case supposed in the 2nd para of the Government Order of 15th December 1896, viz that of a Co-operative purchase of liquor equivalent to different transactions by the different individuals composing the Society, and as such exempt from

from liability to license appeared to me at any rate at first sight to bear a strong resemblance to the transactions of the Kadur club and other similar clubs.

6. Since the receipt however of your docket under reply, I have given careful attention to the provisions of the Excise Act itself - as it is by these that the liability or otherwise of the club to license must be determined and it now appears to me on a construction of Section 12 of the Excise Act that the club is not exempt from the liability to take out a licens

7 Section 12 of the Act relates to the Sale of liquors etc. Section 21 relates to the possession of liquors etc

8. The latter section in virtue of proviso (a) allows of the possession without permit or license of liquor purchased by any person for his private use and not for sale. The distinction between private use and sale is emphasised in this proviso. Section 12 however prohibits the sale without license of liquor except under conditions provisoes (a) (b) & (c) none of which (not even proviso (a)) apply in the case of the Kadur club

7. It appears to me therefore on a construc-
tion of the two sections that the Sale of
liquor by a club except under a license
is prohibited by the Excise Act and that
the question of *private use* referred to in the
Government Order of 15th December 1896 does
not really arise in dealing with the subject.
8. The Club could I think only be exempted
from liability to license, by adopting the
strained view that the transactions of the
Club in liquor amounted to a *mere*
possession of liquor within the meaning
of Section 21 of the Act, but such a view
would in my opinion be clearly inadmiss-
able as not being in accordance with the
facts. Sale, is the transfer of an article for
a money-price and there can be no
question that the Kadur Club sells liquor
in the above sense - that is to say transfers
to members for a money-price.
9. It seems to me therefore on a construction
of the Act, itself that the Club is clearly liable
to take out a license, and I shall accordingly
if you agree in this view, call upon the Honorary
Secretary to take out the necessary licenses
under

under Rule V of the Notification of 9th May 1889

12. I may add that while the above is the conclusion I have now arrived at on a construction of the law, the exaction of a license from clubs in this province is apparently an innovation and will I have reason to believe be regarded as a hardship by such clubs on the ground not only that it is an innovation, but that it is at variance with the law and practice obtaining in British India and elsewhere. Whether the possible hardship to such clubs might not, while enforcing the law, be met by granting the clubs who import and sell foreign liquors to members only a free license, is a question deserving perhaps of the consideration of Government

I have etc.

(signed) Kumaravanna Naik
For Deputy Commissioner
Kadur District

Copy

[illegible]

Excise Commissioner
[illegible] in Mysore

C.R.F. 560/1897 Draft for reply 11

Sl 2

To (14)

The Excise Commr
in Mysore

No 6829 / Ex 246 & 24-1-98
Sir, 14

With reference to your
letter no 4034/176 of the 3rd
November last, recommending
under ~~the~~ existing Rules,
the grant of free licenses to
the European Planters' Clubs
in the Kadur & Hassan Districts,
I am directed to request
~~state~~
that you will be so good
as to submit ~~an early~~
~~report~~ information as to
the ~~basis~~ existing law
and practice in British
India" referred to by
Mr Weir in para 12 of
his letter no 242 & 28th October
address
97, ~~addressed~~ to your on the
subject, and whether there is any
provision in the ~~Opium~~ Excise Act or Rules in
force in Mysore for the ~~grant~~ of free licenses.
have the

JB
18/1/98

for Secretary
19/1/98

Draft for approval 12

189 (15)

From

The Secretary to the Govt. of Mysore,
Gen. & Rev. Depts.

To

The Excise Commr in Mysore.

Dated 3/3/98

Despatched

Received

General No. 8092

No. Ex 309.

Enclosure No.

This Office No 6829-Ex 246 dated 24th January 1898 ~~requesting~~ ~~[illegible]~~ ~~Extract~~ information as to the existing "law and practice" obtaining in British India in the matter of the Sale of Foreign Liquors in clubs and also as to whether there is any provision in the Mysore Rules for the grant of free licenses ~~and subsequent reminder marginally noted~~.

Has the honor to draw attention to the above and to request an early reply thereto.

By Order,

3/3 98

Secretary.

1/3/98

Draft for approval 189 /12

16

From

The Secretary to the Govt. of Mysore.

To

The Excise Commr in Mysore

Dated 27/4/98

Despatched 27

Received /

General No. 10319.

No. Sn 421

Enclosure No.

This Office No. 6829-Sn 246 dated 1st January, 1898 calling for information as to the existing "law and practice" obtaining in British India in the matter of the sale of foreign liquors in clubs and also as to whether there is any provision in the Mysore Rules for the grant of free licenses

and subsequent reminder marginally noted.

8092 of 3rd March 98.
Sn 309

---

in vote

Has the honor to ~~draw~~ attention to the above and to request an early reply thereto.

By Order,

for 26/4/98

Under-Secretary.

25/4/98

Vernon

Ex 453

S.R.D. 560 of 97-98
Sl 3

Gen. 30]

REVENUE DEPARTMENT
Cl. No. 8506
MAY 21 1898
No. ....
DEWAN'S OFFICE

14

17

From

The Excise Commissioner
in Mysore

To

The Secretary to the Govt. of Mysore,
General and Revenue Dept.s

Dated 18th May 1898
Despatched 20
Received
General No. 1871
No. 410
Enclosure No. 2 & 1 file

I think these clubs come under the category of "Proprietary Clubs" for the Kadur Club belongs to Messrs Parker & Co and the Shekhara Iyer also includes the question of Toddy

question is an important one, and I should like to talk over it with the Chief Secretary before I write a note. 20/6/98

3/6
17/8

In reply to Secretary's reminder No. 1053/9 dated 27th April 1898 Para 21

SUBJECT.

submits copy of correspondence from the Deputy Commissioner, Kadur district, and states that he is of opinion that no licenses need be issued to the "Kadur Club" and the "Saklespur Planters' club" which are not "Proprietary Clubs"

References (to be entered only in the Dewan's Office).

Since
22
26/98

Rev
21/5/98

Excise Commissioner's office

Bangalore, dated 18th/20 May 1898.

No 1871/410 Encl: 2 & file

From

The Excise Commissioner

in Mysore

To

The Secretary to the Government of Mysore

General and Revenue Departments

Sir,

In acknowledging the receipt of your reminder No 10319/Ex 421, dated 27th April 1898 calling for information as to the existing law and practice in British India, referred to by Mr Weir late Deputy Commissioner, Kadur district, in the matter of the sale of Foreign liquors in clubs, and also as to whether there is any provision in the Mysore Rules for the grant of free licenses, I have the honor to submit herewith copy of letter No 449, dated 10/14th instant, from the Deputy Commissioner, Kadur district, together with its original enclosure (to be kindly returned). It will be seen from the opinion of the Advocate General, Madras, that

the

the clubs of the ordinary kind need not take out licenses to sell liquors. Therefore in para 10 of circular order No. 153 of the Madras Board of Revenue, it is laid down that "Clubs, other than Proprietary Clubs, are not bound to take out licenses to sell spirits to members."

2. A "Proprietary club" is a club which belongs to a single individual or firm limited the profits made by the club all going to such person or firm who makes a living by it in the same way as an Hotel-keeper. An "ordinary club" is one which is established for no ones living or benefit but merely for the mutual convenience of the members and it makes no profits but makes receipts and expenditure equal, generally trying to keep always in debt.

3. The Deputy Commissioner, Kadur District, reports

reports that the "Kadur club" at Chikmagalur is not a "Proprietary club" but an ordinary one, and the Deputy Commissioner, Hassan district, states in his docket No. 1816, dated 14th instant, that the "Saklespur Planters' club" is an ordinary club. Therefore I am of opinion that no licenses need be issued to these two clubs. No Proprietary clubs exist at present in the Mysore State.

4. A copy of letter No. 378, dated 6th February 1897, from the Commissioner of Excise, Central Provinces, is herewith submitted. It will be seen from it, that clubs are not required to take out licenses so long as they confine themselves to buying liquors for members and to recovering the cost from them only; and that Cooperative Societies are required to take out licenses.

5. Under the above circumstances, I beg to

Submit

Submit that The Government order No. 3788-89
Ex 215-
dated 15th December 1896, requires to be amended

I have the honor to be
Sir,
Your most obedient Servant
Venkata Rangayya
for Excise Commissioner
Mysore.

From

The Deputy Commissioner

Kadur District

To

The Excise Commissioner

in Mysore

Bangalore.

Dated 10 } May 1898 Enclosure to Sl 3
Despatched 14 }

Camp Kanate

No. 443

Sir,

In answer to your letter No. 7305/207, dated 20th April 1898 I have the honour to state that the Kadur club at Chikmagalur is not a Proprietary club but an ordinary club.

2. As regards your letter dated 24th January 1898, asking for information as to the existing "Law and Practice" obtaining in British India in the matter of sales of foreign liquors. I have been at the pains to obtain from the [illegible]

Commissi

Commissioner of Salt, Abkari and Separate Revenue, Madras, copies of Board's Proceeding containing the Advocate General's views and opinion on the subject, together with printed copies of Rule No: 153 (10) and appendices thereto for your information, — which are forwarded herewith.

3. It will be seen from the above that non-proprietary clubs are exempt from taking out liquor licenses

Dhave &c

(Signed) J.C. Carr

Deputy Commissioner
Karur District.

"Copy"

[illegible]

for Excise Commissioner
in Mysore

BB

No: 512

21

From

C. R. Cleveland Esquire I.C.S
Commissioner of Excise
Central Provinces.

To

The Excise Commissioner
in Nagpur

Dated Nagpur 6th February

Sir,

I have the honor to acknowledge your no: 3887/65, dated the 20th ultimo, and in reply to say that there is only one co-operative Society in Nagpur, which has been granted a "Shop license Please see form of license Form A, (copy enclosed) printed on page 70 of the Central Provinces Excise Manual.

2. There is only one club in Nagpur viz. the "Central Provinces Club". This club is not required to take out a Liquor license so long as it confines itself to buying wines and spirits for members and to recovering the

the cost from them only.

I have &c

(Signed) W. J. Nuttal

Superintendent

For Commissioner of Excise

Central Provinces

"Copy"

[illegible]

for Excise Commissioner

in Mysore

se granted to Arrack Vend Monopoly Renter in the District of

I, Collector of the district, under the provisions of Madras Act I, 1886, hereby appoint you, son of residing at , to be the renter of the exclusive privilege of selling country spirits in the arrack rent area of in the taluk of in the District of from the 1st day of April 189 to the 31st day of March 189 , subject to the following conditions and stipulations to be observed by you, the said:—

CONDITIONS.

1. The exclusive privilege shall extend to the sale only of country spirits of strengths of 20° under-proof, 30° under-proof, and 60° under-proof, but shall not include their manufacture, nor the manufacture or sale of spirits of higher strengths than 20° under-proof.

2. Spirits may be excised at the customs rate of duty in force for the time being on spirits imported by sea, and may be sold without any restriction, subject to the proviso that the sale of such spirits will be permitted only in shops licensed to sell foreign liquors and to private persons as foreign liquor for domestic consumption, but not for sale.

3. (i) The amount for which the privilege above described has been purchased shall be payable into a Government treasury in equal monthly instalments due on the 15th of each month, beginning from April 189 .

(ii) If the deposit made by you be in cash, it will be taken in payment of the instalments due in the last two months of the period of the rent. If the deposit is in Government promissory notes or Postal Savings Bank deposits which you wish to retain, they will be returned to you on payment of the whole of the rental due by you, otherwise they will be sold or otherwise disposed of and the amount realized taken towards the payment of the instalments due in the last two months of the period of the rent, any balance still due being recovered as if it were an arrear of land revenue. Failing payment by the 25th of each month, the Tahsildar will immediately proceed to recover the arrears due in any of the methods prescribed by section 28 of the Abkari Act. If it be decided to re-sell the privilege, the Tahsildar will issue notice of re-sale of your exclusive privilege not later

than the 5th of the following month, and will report the fact to the Collector, who will order the immediate suspension of your license, unless he considers it expedient, in the interest of the persons frequenting your shops, to allow it to continue provisionally pending re-sale and issue of license to the new purchaser. The grant of such a concession will lie entirely in the Collector's discretion and his decision on the point will be final. In either case, the Tahsildar will re-sell your exclusive privilege on the day fixed with effect from the date of issue of license to the new purchaser, and on the re-sale taking place the deposit made by you will be applied to cover any arrears which may be due from you and the loss, if any, sustained by such re-sale and by the suspension, if it occurs, of your license. If your deposit should be more than sufficient to meet these claims, the balance will be forfeited; if insufficient, you will be responsible for the balance still due.

(iii) The re-sale referred to will, however, be subject to formal confirmation by the Collector, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will, unless revised by the Board of Revenue for special reasons, be tantamount to an acceptance of the bid. The accepted bid will represent the amount which is to be paid for the remaining period of the lease for the exclusive privilege.

(iv) If the Collector does not confirm the re-sale, he may make such other arrangements as may appear advisable for the remainder of the period of the lease, in which case he shall serve a notice on you informing you of the nature of the arrangements made.

(v) Any sum due by you under the foregoing clauses of this condition shall be collected under Act II of 1864. No remission or abatement of the rent shall on any account whatever be claimable by you.

4. You may purchase the spirits for issue to your shopkeepers from any distiller who has taken out a license for the manufacture of country spirits for supply to any of the districts or parts of districts specified in the margin, or from any warehouse-keeper, or from a wholesale dealer in country spirits licensed to supply the district or tract in which the rent area is situated. The maximum rates to be charged by such distillers for spirits supplied by them are as under per Imperial gallon (delivered at the distillery) :-

Nellore.	South Arcot.
Cuddapah.	Tanjore.
Anantapur.	Trichinopoly.
Bellary.	Madura.
Kurnool (the taluks west of the Nallamalais).	Tinnevelly.
Madras.	Coimbatore.
Chingleput..	Nilgiris.
North Arcot.	Salem.
	Wynaad (taluk of Malabar).

				RS.	A.	P.
For spirits	20°	under-proof	.. .. ..	0	12	0
Do.	30°	do.	.. .. ..	0	10	6
Do	60°	do.	.. .. ..	0	5	0

With warehouse-keepers and wholesale dealers you must make your own arrangements as to price.

5. The above rates are in addition to excise duty, which shall be prepaid to Government at the rates specified below per Imperial gallon, before the removal of the spirits from the distillery or warehouse, namely, on spirits 10° under-proof Rs. on spirits 30° under-proof Rs. and on spirits 60° under-proof Rs.

6 Excise duty may be paid by you either into any Government treasury or to the distiller or warehouse-keeper from whom the spirits are purchased for payment by him to Government, but in either case it shall be prepaid to Government. *In the case of purchases made from wholesale dealers, the excise duty will be included in the price of spirits.**

7. You shall maintain at the place or places within your rent area to be approved by the Collector a depôt or depôts to which all spirits purchased by you shall be conveyed in the first instance for verification of the consignment by a Government officer before issue to the shopkeepers. Depôts shall at all times be open to inspection by the Collector or any subordinate whom he may depute for the purpose, or by any Abkari officer not below the rank of Sub-Inspector. No such depôts shall be opened without a license from the Collector.

8. In cases in which depôts are established at places where there is no resident Revenue officer above the rank of Revenue Inspector, you shall not ordinarily transport to such depôts less than a month's supply of spirits at a time, but you will be allowed to supplement your stocks, *when absolutely necessary*, and with the previous sanction of the Collector, by less than a month's supply.

* In the case of the Tindivanam, Villupuram and Cuddalore rent areas, omit the words in italics and add the following conditions as 6-A, 6-B and 6-C :—

(*a*) The amounts to be filled in are as under :—

For Tindivanam (excluding towns in which shops are separately sold) Rs.

For Villupuram (excluding towns in which shops are separately sold)

For Cuddalore (excluding towns in which shops are separately sold)

6-A. You shall undertake that the total revenue payable by you to Government for the twelve months beginning from 1st April 189 and ending with 31st March 189 , on account of excise duty on spirits purchased by you for consumption in your rent area, shall not be less than Rs. (*a*). The duty paid by you on account of spirits so purchased will be taken towards the adjustment of the revenue guaranteed and a settlement of accounts will be made quarterly in the manner explained below.

6-B. If the payments on account of excise duty on spirits issued from distilleries and warehouses in any one quarter fall short of one-fourth of the total amount guaranteed on that account, you shall make good the difference, provided that any payments made on account of excise duty on spirits issued from distilleries and warehouses in excess of the minimum revenue guaranteed on that account in any one quarter shall be taken in reduction of any deficit occurring in any other quarter

6-C. If the total payments on account of excise duty at the end of the period of the lease should exceed the minimum amount guaranteed for the whole lease, the excess will not be refunded to you.

9. The Collector or any officer of the Salt and Abkári Department not below the rank of Assistant Commissioner may direct the destruction of spirits in your depôt which he may consider unfit for consumption or use.

10. You shall not mix with the spirits to be issued to your shopkeepers any ingredients noxious to health.

11. The spirits supplied or sold from, or kept for supply or sale at, your depôt by you to your shopkeepers shall be of the strength of 20° under-proof, or 30° under-proof or 60° under-proof, and spirits shall not be supplied or kept or sold by you or by your shopkeepers at any other strength.

12. You shall keep true accounts at every depôt of the quantity and strength of the spirits purchased by you and issued to shopkeepers, filing with such accounts the permits obtained by you when purchasing, and the counterparts of permits issued by you when issuing, the spirits. Such accounts, together with the permits and counterfoils, shall be produced when required for inspection by the Collector, or by any officer appointed by him, or by any Abkári officer not below the rank of Sub-Inspector, and you shall be bound to furnish, or cause to be furnished, such information or returns as may be required by the Collector from time to time regarding the consumption of spirits within your rent area or relating in any way to your management as a renter.

13. Spirits shall not be sold except in shops duly sanctioned and licensed by the Collector, and no shops shall be opened without such sanction or license. You will be at liberty to select your shopkeepers and will be allowed to establish as many shops as the Collector may consider necessary for the supply of your rent area. You shall not keep or sell spirits at any other places than the depôts or shops licensed at your request.

14. The Collector may, whenever he thinks fit, direct shops to be closed, or permit transfers of shops from one place to another, or direct new shops to be opened. You shall be bound to maintain in all sanctioned depôts and shops such supply of spirits as the Collector may consider sufficient to meet local requirements.

15. Each shopkeeper shall place the license granted to him in a conspicuous place in his shop which shall be located in a decent shed or building. The room or rooms used for the shop shall always be separate from the shopkeeper's dwelling house, whether they be under the same roof or not. If there is a door of communication between the shop and any adjoining premises, it must be kept locked at night.

16. A signboard shall be affixed in a conspicuous part of the front of each shop, containing in * the name of the shopkeeper, the spirits he is licensed to sell and the number of his license.

17. Shopkeepers shall prevent all drunkenness or disorder or gaming within their shops. Persons suffering from leprosy or other contagious diseases shall be prohibited from selling spirits.

18. No shop shall be opened before sunrise.

* Here enter the vernacular of the district or part of the district in which the shop is situated.

19. Shops shall be closed by 8 o'clock P.M., unless the Collector, for special reasons, shall generally or specially authorize the keeping open of particular shops to a later hour.

20. Shopkeepers shall not harbour robbers or thieves or riotous persons, but, on the contrary, shall give intimation to the nearest magistrate or police officer as to any such persons who may resort to their shops.

21. Shopkeepers shall not receive any grain, jewels, goods, wearing apparel or other article in barter or in pawn for spirits, but, on the offer of any such, shall give information to the nearest magistrate or police officer.

22. No shopkeeper shall allow any quantity of spirits exceeding one reputed quart (one-sixth of a gallon) or such other quantity as may hereafter be prescribed in this behalf, to be removed by any individual at one time from his shop on any pretence whatever without a valid permit.

23. You shall provide yourself, your depot-keepers and your shopkeepers with printed forms of permits for transport and possession of spirits. Such permits shall be in the form prescribed in the Appendix to Board's Standing Order No. 162, and shall be purchased from the local Revenue officers. Depot-keepers and shopkeepers shall not be allowed to sign blank permits which are filled up subsequently.*

24. At every shop for the sale of spirits there shall be kept an account showing the quantity and strength of the spirits received therein, the quantity and strength of the spirits sold, the prices at which they are sold, and the quantity and strength of the spirits remaining unsold each day. Such accounts shall be in such form as may be prescribed by the Collector, and shall be produced for the inspection of the Collector, or of any officer appointed by him for the purpose of inspecting them, or of any Abkari officer not below the rank of Sub-Inspector whenever required. The permits with which the spirits were received, as also the counterfoils of those issued by you, shall be carefully and regularly filed in the shop and similarly produced for inspection at any time during the lease.

25. Shopkeepers shall be bound to furnish such returns and information as may from time to time be required by the Collector.

26. Shopkeepers shall not keep in their shops, offer for sale or sell any spirits except spirits supplied by you; neither shall they keep in their shops, offer for sale or sell spirits of any other strength than 20° under-proof, or 30° under-proof, or 60° under-proof. The spirits kept in the shops, offered for sale or sold shall be unadulterated and undiluted.

27. No foreign liquors, no country spirits of higher strength than 20° under-proof, and no country beer or toddy or any other liquor than that to which the license relates shall be kept or sold in shops established by you, unless the shopkeeper also holds a license or licenses in respect of such excepted liquors.

* Shopkeepers may issue transport permits, provided the power has been delegated to them by Collectors, with the permission of the Commissioner of Salt, Abkári and Separate Revenue, under clause (III) (*g*) of Notification No. 60, published on pages 100 and 101 of Part I of the *Fort St. George Gazette*, dated 4th February 1890.

28. Shopkeepers shall not possess or use any measures other than those that may from time to time be prescribed by Government under section 29 clause (*e*), of the Madras Abkári Act, 1886.

29. You shall have such measures tested and stamped at your own expense by the stamping establishments of the district, if the Collector shall so direct.

30. You shall furnish each depôt for the issue of spirits to shopkeepers and each Inspector employed by you with a hydrometer of any pattern prescribed by Government under clause (*d*), section 29 of the Madras Abkári Act, 1886.

31. Shopkeepers shall not sell or give any spirits to any European non-commissioned officer, private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police; nor to any child under twelve years of age for consumption on the premises; nor shall they sell any spirits on credit.

32. The Collector may direct that all shops for the sale of spirits on, or adjacent to, the line of march shall be closed whilst a regiment or detachment of European or Native soldiers is passing or is encamped in the vicinity. Such soldiers may be supplied with spirits by such persons as the Government may select for the purpose, notwithstanding your exclusive privilege.

33. Except with the permission of the Collector, you shall not sell, transfer or sub-rent to any other person any portion of your rent area.

34. Every person employed by you to superintend depôts or placed in charge of shops shall, before entering upon his employment, execute the engagements prescribed by law. All engagements entered into by persons to be employed by you on the 1st day of April 189 shall be deposited with the Collector within one month from that date or of the date of executing the engagement.

35. If it comes to your knowledge that any person employed by you in the carriage or sale of spirits commits any breach of the Abkári laws or of the engagements entered into by him, it shall be your duty to report the matter to the Collector and to comply with the directions of the Collector respecting the continued employment of such person. You shall not employ persons convicted under the Indian Penal Code in the carriage or sale of liquor without the Collector's permission to be obtained in each case.

36. You shall not, during the term of the license, have any interest in the privilege of vending toddy, opium or ganja in any part of the farm to which this license relates, or permit any person having any interest in the privilege of vending toddy, opium or ganja in any part of the farm to hold any share or interest in your exclusive privilege of selling country spirits or to conduct sales in your shops in any part of the farm. *Nor shall you, during the term of your license, without the written permission of the Collector have any interest, direct or indirect, in any* $\frac{\text{monopoly vend}}{\text{arrack rented}}$ *area in the territory or*

district of *or permit the holder of any such area to have any such interest in the rent area held by you under the license* *.

37. Interest shall be payable upon all moneys due by you at the rate of 6 per cent. per annum.

38. In case of any breach of the conditions of the license, either by you, or, with your connivance or privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding the sum of Rs. 50 for every such breach of such conditions, or, at the option of the Collector, to declare the money or Government promissory notes or Postal Savings Bank deposits deposited with him forfeited and to cancel the license and resell the exclusive privilege at your risk, or to place the rent area under the management of Government, and all loss thereby caused shall be made good by you. It shall be lawful for the Collector to deduct the amount of all fines imposed under this clause from any sums deposited by you as security for the due performance of the conditions of the license, or to realize the amount of such fines by the disposal of any or all of the Government promissory notes or Postal Savings Bank deposits deposited by you. When a lease is cancelled, the rent for the whole period of the lease shall become due at once.

39. The imposition of a fine, or the forfeiture of deposit, or the cancellation of license under the last preceding condition, shall not be held to prevent the prosecution of any person for any offence which may be committed against the provisions of the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue.

40. If you shall be convicted on prosecution before a magistrate of any offence against the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue, it shall be lawful for the Collector to declare your license forfeited. If you shall be convicted under the Indian Penal Code, such conviction will render you liable to forfeiture of your license, if the offence of which you are convicted is such as, in the opinion of the Collector, renders you unfit to hold it.

41. All sums payable by you may be deducted from the amount of your deposit, or recovered by attachment and sale of your property under any law for the time being in force for the recovery of arrears of land revenue.

42. Any sums deducted by the Collector under the powers herein contained from the sum deposited by you as security for the due performance of the contract shall be replaced by you within fifteen days from the date of the receipt of a notice from the Collector informing you of such deduction having been made.

43. The Collector reserves to himself the right to grant "occasional licenses" for the sale of country spirits on the occurrence of fairs, festivals, &c., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall be granted to the representatives of the renter who usually supplies the locality, and their period shall not exceed ten days and the fee to be paid therefor shall be fixed at the discretion of the Collector.

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* The words in italics to be erased in the case of areas not adjacent to foreign territory, rented district or districts in which the still-head duty is higher.

44. You shall be bound by any additional general rules which may, from time to time, be prescribed under the Abkári laws now in force, or which may hereafter be enacted, and shall, on requisition by the Collector, or other officer duly authorized by the Collector, deliver up your license for amendment or for the issue of a fresh license accordingly.

Dated the day of 189

Collector.

Huzur Sheristadar.

Vernacular Clerk.

No.

Counterpart Agreement to be executed by Arrack Vend Monopoly Renter in the District of

Having been appointed by the Collector of the district of , the renter of the exclusive privilege of selling country spirits in the arrack rent area of , in the taluk of from the 1st day of April 189 to the 31st day of March 189 , I, , son of , residing at , do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the license, No. dated the day of 189 , issued to me by the said Collector.

Dated the day of 189

(Signature.)

No.

License granted to person placed in charge of Depôt under Arrack Vend Monopoly Renter in the District of

I, Collector of the district, under the provisions of Madras Act I, 1886, hereby license you appointed to the charge of the depôt of issue at by the renter of the exclusive privilege of vending country spirits in the arrack rent area of in the taluk of in the district of from the day of 189 . to the day of 189 , subject to the following conditions and stipulations to be observed by you, the said

CONDITIONS.

1. You shall place this license in a conspicuous place in your depôt.

2. You shall fix in a conspicuous part of the front of your depôt a sign-board containing in * your name, the spirits you are licensed to supply, and the number of your license.

3. You shall not mix, or knowingly permit any other person to mix, in the country spirits under your charge, any ingredient pernicious to health or other noxious material intended or supposed to increase the power of the spirit or to add to its intoxicating quality. You shall not allow persons suffering from leprosy or other contagious diseases to sell spirits in your depôt.

4. You shall issue spirits only to licensed shopkeepers.

5. You shall issue permits in the prescribed form for the transit of spirits from your depôt to shops situated within the said arrack rent area and licensed for the sale of spirits. Such permits shall be signed by you when issuing the spirits.

6. You shall not open your depôt before sunrise.

7. You shall not keep your depôt open after sunset, nor shall you allow any one to remain in your depôt during the night.

8. You shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for spirits, but, on the offer of any such, shall give information to the nearest magistrate or police officer.

9. You shall maintain a sufficient supply of liquor at your depôt.

10. You shall not allow any quantity of spirits exceeding one reputed quart (one-sixth of a gallon), or such other quantity as may hereafter be prescribed in this behalf, to be removed by any individual at one time from your depôt on any pretence whatever, without a valid permit.

11. You shall not open any consignments of country spirits received at the depot from any distillery or warehouse or wholesale depôt before they have been gauged and proved by an authorized officer.

12. You shall keep an account showing the quantity and strength of the spirits received in your depôt, the quantity and strength of the spirits sold, and the quantity and strength of the spirits remaining unsold each day. Such accounts shall be in such form as may be prescribed by the Collector, and shall be produced for the inspection of the Collector or of any officer appointed by him for the purpose of inspecting them or of any Abkári officer not below the rank of Sub-Inspector, whenever required. You shall file carefully and regularly the permits with which spirits are received in your depôt, as also the counterfoils of permits issued by you: and they shall be produced for inspection along with the accounts.

13. You shall be bound to furnish such returns and information as may, from time to time, be required by the Collector.

14. You shall not keep in your depôt, offer for sale or sell any spirits, except spirits supplied by the renter: neither shall you keep in your depôt, offer for sale or sell spirits of any other strength than 20° under-proof, 30° under-proof or 60° under-proof. The spirits kept in your depôt, offered for sale or sold shall be unadulterated and undiluted.

*Here enter the vernacular or the district or part of the district in which the depôt is situated.

15. You shall not keep or sell spirits at any other place than that specified in this license.

16. You shall not possess or use any measures other than those that may, from time to time, be prescribed by Government under clause (*e*), section 29 of the Madras Abkári Act, 1886.

17. Such measures shall be tested and stamped by the stamping establishments of the district, if the Collector shall so direct.

18. You shall keep, if required to do so by the Collector, a hydrometer of the prescribed description.

19. This license may be recalled by the Collector at any time; otherwise it will remain in force during the currency of the said arrack vend monopoly renter, 's license.

Dated the day of 189

Schedule showing the Boundaries of the Depôt.

Street and Door Number or other particulars.	Bounded on the				Remarks.
	North by	East by	South by	West by	

Collector.

Huzur Sheristadar.

Vernacular Clerk.

No.

Counterpart Agreement to be executed by Person placed in charge of Depôt under Arrack Vend Monopoly Renter in the District of

I, son of residing at appointed to the charge of a depôt at , by , the renter of the exclusive privilege of vending country spirits in the arrack rent area of , in the taluk of , in the district of

from the day of 189 to the day of 189 having been licensed by the Collector of the district of to vend country spirits in the said depôt from the day of 189 to the day of 189 do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the License, No , dated the day of 189 , issued to me by the said Collector.

Dated the day of 189

(Signature.)

No.

License granted to Arrack Shopkeeper appointed by Arrack vend Monopoly Renter in the District of

I, Collector of the district, under the provisions of Madras Act I, 1886, hereby license you, appointed to the charge of a shop at by the renter of the exclusive privilege of selling country spirits in the arrack rent area of , in the taluk of in the district of from the 1st day of April 189 to the 31st day of March 189 , subject to the following conditions and stipulations to be observed by you the said :—

CONDITIONS.

1. You shall place this license in a conspicuous place in your shop which shall be located in a decent shed or building.

2. You shall fix in a conspicuous part of the front of your shop a sign-board containing in * your name, the spirits you are licensed to sell, and the number of your license.

3 You shall prevent all drunkenness or disorder or gaming in your shop

4. You shall not open your shop before sunrise.

5. You shall not keep your shop open after 8 o'clock P.M., unless the Collector, for special reasons, shall generally or specially authorize your doing so, nor shall you allow any one to remain in your shop during night.

6. The room or rooms used for the shop shall always be separate from your dwelling-house, whether they may be under the same roof or not. If there is a door of communication between the shop and any adjoining premises, you shall keep it locked at night

* Here enter the vernacular of the district or part of the district in which the shop is situate

7. You shall not harbour robbers or thieves or riotous persons in your shop, but, on the contrary, shall give intimation to the nearest magistrate or police officer as to any such persons who may resort to your shop.

8. You shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for spirits, but, on the offer of any such, shall give information to the nearest magistrate or police officer.

9. You shall not allow any quantity of spirits exceeding one reputed quart (one-sixth of a gallon), or such other quantity as may hereafter be prescribed in this behalf, to be removed by any individual at one time from your shop on any pretence whatever, without a valid permit which shall be signed and granted when the spirits are issued.*

10. You shall keep an account showing the quantity and strength of the spirits received in your shop, the quantity and strength of the spirits sold, and the quantity and strength of the spirits remaining unsold each day. Such accounts shall be in such form as may be prescribed by the Collector, and shall be produced for the inspection of the Collector or of any officer appointed by him for the purpose of inspecting them or of any Abkári officer not below the rank of Sub-Inspector, whenever required. You shall file carefully and regularly the permit with which spirits are received in your shop, as also the counterparts of permits issued by you; and they shall be produced for inspection along with the accounts.

11. You shall be bound to furnish such returns and information as may, from time to time, be required by the Collector and to maintain in your shop such supply of liquor as he may consider sufficient to meet all local requirements.

12. You shall not keep in your shop, offer for sale or sell any spirits except spirits supplied by the renter; neither shall you keep in your shop, offer for sale or sell spirits of any other strength than 20° under-proof, or 30° under-proof, or 60° under-proof. The spirits kept in your shop, offered for sale and sold shall be unadulterated and undiluted.

13. You shall not keep or sell spirits at any other place than that specified in this license.

14. You shall not keep or sell in your shop any foreign liquors, any country spirits of higher strength than 20° under-proof, or country beer or toddy or any liquor other than that to which the license relates, unless you also hold a license or licenses in respect of such excepted liquors.

15. You shall not possess or use any measures other than those that may, from time to time, be prescribed by Government under clause (*e*), section 29, of the Madras Abkári Act, 1886.

16. Such measures shall be tested and stamped by the stamping establishments of the district, if the Collector shall so direct.

17 You shall not sell or give any spirits to any European non-commissioned officer, private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons

* Shopkeepers may issue transport permits, provided the power has been delegated to them by Collectors, with the permission of the Commissioner of Salt and Abkári Revenue under clause III (*g*) of the Notification No. 60, published on pages 100 and 101 of the *Fort St. George Gazette*, dated 4th February 1890.

without the permission in writing of the commanding officer, or of some person duly authorized by him in that behalf nor to any European sailor; nor to any sepoy, member of the police force, Salt and Akbári officer or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police; nor to any child under twelve years of age for consumption on the premises; nor shall you sell any spirits on credit.

18. You shall close your shop if situated on, or adjacent to, the line of march whilst a regiment or detachment of European or Native soldiers is passing or is encamped in the vicinity should the Collector so direct

19. Your license shall be in force only so long as your renter's license is so, and you shall not conduct sales in your shop under cover of this license in the event of your renter's license being cancelled or suspended. In the event of the renter's area being taken under the management of Government, you shall be bound to continue to sell spirits on behalf of Government as long as you may be required to do so.

Dated the day of 189.

Schedule showing the Boundaries of the Shop.

Street and Door Number or other particulars.	Bounded on the.				Remarks.
	North by	East by	South by	West by	

Collector.

Huzur Sheristadar.

Vernacular Clerk.

No.

Counterpart Agreement to be executed by Arrack Shopkeeper appointed by Arrack Vend Monopoly Renter in the District of

I, son of

residing at

appointed to the charge of a shop at by the renter of

the exclusive privilege of selling country spirits in the arrack rent area of , in the taluk of , in the district of , from the 1st day of April 189 to the 31st day of March 189 , having been licensed by the Collector of the district of to vend country spirits in the said shop from the 1st day of April 189 to the 31st day of March 189 , do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the license, No. , dated the day of 189 , issued to me by the said Collector.

Dated the day of 189

(Signature.)

No.

License granted to Independent Shopkeeper to vend Country Spirits in the $\frac{\text{Town}}{\text{Taluk}}$ of

I, , Collector of the district, under the provisions of Madras Act I, 1886, hereby license you, son of residing at , to establish a shop at in the $\frac{\text{Town}}{\text{Taluk}}$ of and sell country spirits therein from the 1st day of April 189 to the 31st day of March 189 , subject to the following conditions and stipulations to be observed by you, the said :—

CONDITIONS.

1. The privilege conferred by the license extends only to the sale of country spirits of the strengths of 20° under-proof, 30° under-proof and 60° under-proof.

2. (i) The amount for which the privilege above described has been purchased shall be payable into a Government treasury in equal monthly instalments due on the 15th of each month, beginning from April 189 .

(ii) If the deposit made by you be in cash, it will be taken in payment of the instalments due in the last two months of the period of the rent. If the deposit is in Government promissory notes or Postal Savings Bank deposits which you wish to retain, they will be returned to you on payment of the whole of the rental due by you, otherwise they will be sold or disposed of in any other manner and the amount realized taken towards the payment of the instalments due in the last two months of the period of the rent, any balance still due being recovered as if it were an arrear of land revenue. Failing payment by the 25th of each month, the Tahsildar will immediately proceed to recover the arrears due in any of the methods prescribed by section 28 of the Abkári Act. If it be decided to resell the privilege, the Tahsildar will suspend your license and issue notice

of resale not later than the 5th of the following month, and will resell it on the day fixed with effect from the date of issue of the license to the new purchaser. The deposit will be applied to cover any arrears which may be due, and the loss, if any, sustained by Government by such suspension and resale, and, if it shall be more than sufficient to do so, the balance will be forfeited. If, however, the deposit should fall short of the arrears due and of the loss by the resale, you will be responsible for the difference.

(iii) The resale referred to will, however, be subject to formal confirmation by the Collector, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will, unless revised by the Board of Revenue for special reasons, be tantamount to an acceptance of the bid. The accepted bid will represent the amount which is to be paid for the remaining period of the lease for the exclusive privilege.

(iv) If the Collector does not confirm the resale, he may make such other arrangements as may appear advisable for the remainder of the period of the lease, in which case he shall serve a notice on you informing you of the nature of the arrangements made.

(v) Any sum due by you under the foregoing clauses of this condition shall be collected under Act II of 1864. No remission or abatement of the rent shall on any account whatever be claimable by you.

3. You may purchase the spirits to be sold in your shop from any distiller who is licensed to manufacture country spirits for supply to any of the marginally-noted districts or parts of districts, or from any warehouse-keeper, or from any licensed wholesale dealer in country spirits licensed to supply the district or tract in which the shop is situated. The maximum rates to be charged by licensed distillers for spirits supplied by them are as under per Imperial gallon (delivered at the distillery):—

Nellore.	South Arcot.
Cuddapah	Tanjore.
Anantapur.	Trichinopoly.
Bellary.	Madura.
Kurnool (taluks west of the Nallamalais)	Tinnevelly.
Madras.	Coimbatore.
Chingleput.	Nilgiris.
North Arcot.	Salem.
	Wynaad (taluk of Malabar).

	Rs.	A.	P.
For spirits 20° under-proof	0	12	0
Do. 30° do.	0	10	6
Do. 60° do.	0	6	0

With warehouse-keepers and wholesale dealers, you must make your own arrangements as to price.

4. The above rates are in addition to excise duty, which shall be prepaid to Government at the rates specified below per Imperial gallon before the removal of the spirits from the distillery or warehouse, namely, on spirits 20° under-proof Rs. , on spirits 30° under-proof Rs. and on spirits 60° under-proof Rs.

5. When spirits are purchased from a licensed distiller or warehouse-keeper, excise duty may be paid by you either into any Government treasury or to the distiller or warehouse-keeper for payment by him to Government, but in either case it shall be prepaid to Government. In the case of

purchases made from wholesale dealers, the excise duty will be included in the price of spirits.

6. You shall place the license granted to you in a conspicuous place in the shop, which shall be located in a decent shed or building. The room or rooms used for the shop shall be separate from the shopkeeper's dwelling-house, whether they be under the same roof or not. If there is a door of communication between the shop and any adjoining premises, it must be kept locked at night.

7. You shall fix in a conspicuou part of the front of your shop a sign-board on which your name, the spirits you are licensed to sell, and the number of your lice shall be legibly inscribed in.*

8. You shall maintain a sufficient supply of spirits in your shop.

9. You shall prevent all drunkenness or disorder or gaming within your shop. Persons suffering from leprosy or other contagious diseases shall be prohibited from selling spirits in your shop.

10. You shall not harbour robbers or thieves or riotous persons, but, on the contrary, shall give intimation to the nearest magistrate or police officer as to any such persons who may resort to your shop.

11. You shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for spirits, but, on the offer of any such, shall give information to the nearest magistrate or police officer.

12. You shall not allow any quantity of spirits exceeding one reputed quart (one-sixth of a gallon), or such other quantity as may hereafter be prescribed in this behalf, to be removed by any individual at one time from your shop on any pretence whatever without a valid permit which *shall be signed and granted by you when issuing the spirits.*†

13. You shall not open your shop before sunrise, nor keep it open after 9 P.M., unless the Collector shall generally or specially authorize your doing so, nor harbour any one in your shop during the night.

14. You shall not sell or give any spirits to any European non-commissioned officer, private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission in writing of the commanding officer or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police; nor to any child under twelve years of age for consumption on the premises; nor shall you sell any spirits on credit.

15. The Collector may direct that the shop, if situated on, or adjacent to, the line of march shall be closed while a regiment or detachment of European or Native soldiers is passing or is encamped in the vicinity

* Here enter the vernacular language of the district or part of the district in which the shop is situated.

† The words in italics apply to shopkeepers to whom the power of granting special permits has been delegated by the Collector, with the permission of the Commissioner of Salt, Abkári and Separate Revenue, under clause III (*g*) of Notification, No. 60, published on pages 100 and 101 of Part I of the *Fort St. George Gazette*, dated 4th February 1890.

16. You shall keep an account showing the quantity and strength of the spirits received in your shop, the quantity and strength of spirits sold, the prices at which they are sold, and the quantity and strength of the spirits remaining unsold each day. Such account shall be produced for the inspection of the Collector, or any officer appointed by him for the purpose of inspecting it whenever required by the Collector, or of any Abkári officer not below the rank of Sub-Inspector. The permits with which liquor is received at the shops and the counterfoils of those issued by you shall be carefully and regularly filed therein and similarly produced for inspection.

17. You shall furnish such other returns and information as may from time to time be required by the Collector.

18. You shall not keep in your shop, offer for sale, or sell any spirits except such spirits as are supplied to you by the person specified in clause 3 *supra;* neither shall you keep in your shop, offer for sale or sell spirits of any other strength than 20° under-proof, or 30° under-proof, or 60° under-proof. The spirits kept in the shops, offered for sale, or sold by you, shall be unadulterated and undiluted. You shall not keep or sell spirits at any other place than that specified in the license.

19. You shall not possess or use any measures other than those that may from time to time be prescribed by Government under section 29, clause (*e*) of the Madras Abkári Act, 1886, and shall have them tested and stamped at your own expense by the stamping establishment of the district, if the Collector shall so direct.

20. No foreign liquors or country spirits of greater strength than 20° under-proof or country beer or toddy or any liquor other than that to which the license relates shall be kept or sold in shops maintained under this license, unless under separate licenses for such excepted liquors.

21. During the term of the contract, you shall not have any interest in the privilege of vending toddy, opium or ganja within the town or taluk in which your shop is situated, or permit any person having any interest in the privilege of vending toddy, opium or ganja within the said town or taluk to hold any share or interest in your privilege of selling country spirits under this license.*

22. Interest upon all moneys due by you shall be payable at the rate of 6 per cent. per annum.

23. All sums payable by you under this license may be deducted from the amount of your deposit, or recovered by attachment and sale of your property under any law for the time being in force for the recovery of arrears of land revenue.

24. Any sums deducted by the Collector under the powers herein contained from the deposit made by you as security for the performance of the contract shall be replaced by you within fifteen days from the receipt of a notice from the Collector informing you of such deduction having been made.

25. In case of any breach of the conditions of the license, either by you, or, with your connivance and privity, by any person in your employment, it

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* The condition does not apply to Madras (including the outside limits).

shall be competent to the Collector to impose upon you a fine not exceeding the sum of Rs. 10 for every such breach of such conditions, or, at the option of the Collector, to declare the money or Government promissory notes or Savings Bank Deposits deposited with him forfeited, and to cancel the license and resell the exclusive privilege at your risk, and all loss thereby caused shall be made good by you. It shall be lawful for the Collector to deduct the amount of all fines imposed under this clause from any sums deposited by you as security for the due performance of the conditions of the license, or to realise the amount of such fines by the disposal of any or all of the Government promissory notes or Savings Bank Deposits deposited by you. When a lease is cancelled, the rent for the whole period of the lease shall become due at once.

26. The imposition of a fine or the forfeiture of deposit or the cancellation of the license under the last preceding condition shall not be held to prevent the prosecution of any person for any offence which may be committed against the provisions of the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue.

27. If you shall be convicted on prosecution before a Magistrate of any offence against the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue, it shall be lawful for the Collector to declare your license forfeited. If you shall be convicted under the Indian Penal Code, such conviction will render you liable to forfeiture of your license, if the offence of which you are convicted is such as in the opinion of the Collector renders you unfit to hold it

28. If it comes to your knowledge that any person employed by you in the carriage or sale of spirits, commits any breach of the Abkári laws, or of engagements entered into by him, it shall be your duty to report the matter to the Collector, and to comply with the directions of the Collector respecting the continued employment of such person. You shall not employ persons convicted under the Indian Penal Code, in the carriage or sale of liquor without the Collector's permission to be obtained in each case.

29. Except with the Collector's permission you shall not sell, transfer or sub-rent your privilege to any other person.

30. The Collector reserves to himself the right to grant "occasional licenses" for the sale of country spirits on the occurrence of fairs, festivals, &c., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall be granted to the shopkeeper who usually supplies the locality and their period shall not exceed ten days and the fee to be paid therefor shall be fixed at the discretion of the Collector.

31. You shall be bound by any additional general rules as may be prescribed under the Abkári laws existing at present or which may hereafter be enacted, and shall, on requisition by the Collector or by any officer duly authorised by the Collector, deliver up your license for amendment or for the issue of a fresh license accordingly.

Dated the day of 189

Schedule showing the Boundaries of the Shop.

Street and Door Number or other particulars.	Bounded on the				Remarks.
	North by	East by	South by	West by	

Collector.

Huzur Sheristadar.

Vernacular Clerk.

No.

Counterpart Agreement to be executed by Independent Shop-keeper to vend Country Spirits in the $\frac{\text{Town}}{\text{Taluk}}$ of

Having been authorized by the Collector of the District of , to establish a shop for the vend of Country Spirits at in the $\frac{\text{Town}}{\text{Taluk}}$ of , from the 1st day of April 189 to the 31st day of March 189 , I, son of , residing at do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the License, No dated the day of 189 , issued to me by the said Collector.

Dated the day of 189 .

Signature.)

No.

License granted to Wholesale Vendor of Country Spirits at Depôts in the District of

I, , Collector of the district, under the provisions of Madras Act I, 1886, hereby license you, son of residing at to establish a depôt at , in the town of

for the wholesale vend of country spirits therein from the 1st day of April 189 to the 31st day of March 189 , subject to the following conditions and stipulations to be observed by you, the said

CONDITIONS.

1. The privilege conferred by the license extends only to the sale of country spirits of the strength of 20° under-proof, 30° under-proof and 60° under-proof.

2. Spirits shall be sold under this license only to other wholesale vendors, licensed arrack-vend renters or independent arrack shopkeepers in the tract to which the license applies.

3. The place where the depôt for the sale of spirits under this license is situated shall be approved by the Collector. It shall ordinarily be at some kasba station.

4. Arrack-vend renters or independent arrack shopkeepers in two or more districts may be supplied from one and the same depôt, provided that the rate of duty in all districts and tracts so supplied is the same, and that a separate license is obtained (on payment of the prescribed fee) from the Collector of each such district.

5. You may purchase the spirits to be sold by you under the license, at the strength of 20° under-proof, or of 30° under-proof, or of 60° under-proof, in quantities of not less than nine gallons at a time, from any distiller who is licensed to manufacture country spirits for supply to any of the districts named in the margin, or from any warehouse-keeper who is licensed to supply country spirits to those districts, or from another wholesale vendor of country spirits licensed to supply the district or districts to which your license relates. The maximum rates to be charged by such distillers for spirits supplied by them are as under per Imperial gallon (delivered at the distillery) :—

Nellore.	South Arcot.
Cuddapah.	Tanjore.
Anantapur.	Trichinopoly
Bellary.	Madura.
Kurnool (the taluks west of the Nallamalais).	Tinnevelly.
Madras.	Coimbatore.
Chingleput.	Nilgiris.
North Arcot.	Salem.
	Wynaad (taluk of Malabar).

	RS.	A.	P.
For spirits 20° under-proof	0	12	0
Do. 30° do.	0	10	6
Do. 60° do.	0	6	0

With warehouse-keepers and wholesale dealers you shall make your own arrangements as to price.

6. The above rates are in addition to excise duty, which shall be prepaid to Government at the rates specified below, per Imperial gallon, before the removal of the spirits from the distillery or warehouse, namely, on spirits 20° under-proof Rs. on spirits 30° under-proof Rs. and on spirits 60° under-proof Rs.

7. Excise duty may be paid by you either into any Government treasury or to the distiller or warehouse-keeper from whom the spirits are purchased

for payment by him to Government, but in either case it shall be prepaid to Government.

8. You shall not sell spirits in any quantity less than half a gallon at a time, nor shall you allow persons suffering from leprosy or other contagious diseases to sell spirits in your depôt.

9. You shall sell spirits to other wholesale vendors, arrack-vend renters and shopkeepers at the strengths of 20° under-proof, 30° under-proof, and 60° under-proof only; and spirits shall not be sold or kept in the depôt at any other strength. You shall not keep or sell spirits at any other place than that specified in the license.

10. You shall not open any consignments of country spirits received at your depôt from any distillery or warehouse before they have been gauged and proved by an authorized officer.

11. You shall keep true accounts showing the quantity of spirits purchased by you, the name of the distillery or warehouse from which they have been purchased, the quantity of spirits sold, the price realized and the quantity of spirits remaining on hand, and shall file with such accounts the permits obtained by you when purchasing, and the counterparts of permits signed and granted by you when issuing, the spirits, these permits shall be in the form prescribed by the Commissioner of Salt, Abkári and Separate Revenue and shall be purchased from the local Land Revenue officers and such accounts and permits and counterparts shall be open to the inspection of the Collector or any subordinate whom he may depute for the purpose, or of any Abkári officer not below the rank of Sub-Inspector; and you shall furnish such returns of sale as the Collector may from time to time prescribe.

12. You shall pay to Government duty at the rates specified in condition 6 *supra* per gallon on all spirits not accounted for by you to the satisfaction of the Collector in excess of a wastage allowance of 5 per cent. on the quantity purchased by you for sale.

13. You shall place the license granted to you in a conspicuous place in your depôt, and you shall put in front of your depôt a signboard on which your name and the number of your license shall be legibly inscribed in English and in the vernacular language of the district or part of the district in which such depôt is situated.

14. You shall maintain a sufficient supply of liquor in your depôt.

15. You shall not sell any liquor between the hours of 7 P.M. and 6 A.M

16. You shall not possess or use any measures other than those that may from time to time be prescribed by Government under section 29, clause (*e*) of the Madras Abkári Act, 1886, and shall have them tested and stamped at your own expense by the stamping establishment of the district if the Collector shall so direct.

17. If you shall be convicted on prosecution before a magistrate of any offence against the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue, it shall be lawful for the Collector to declare your license forfeited. If you shall be convicted under the Indian Penal Code, such conviction will render you liable to

forfeiture of your license, if the offence of which you are convicted is such as, in the opinion of the Collector, renders you unfit to hold it.

18. If it comes to your knowledge that any person employed by you in the carriage or sale of spirits, commits any breach of the Abkári laws or of engagements entered into by you, it shall be your duty to report the matter to the Collector and to comply with the directions of the Collector respecting the continued employment of such person. You shall not employ persons convicted under the Indian Penal Code in the carriage of sale of liquor without the permission of the Collector to be obtained in each case.

19. In case of any breach of the conditions of the license either by you or with your connivance and privity by any person in your employment, it shall be competent for the Collector to impose upon you a fine not exceeding Rs. 10 for every such breach of such conditions or cancel your license forthwith.

20. The license shall also be revocable by the Collector, with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause, on giving fifteen days' notice of such revocation, in which case, a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189

Schedule showing the Boundaries of the Depót.

Street and Door Number other particulars.	Bounded on the				Remarks.
	North by	East by	South by	West by	

Collector.

Huzur Sheristadar.

Vernacular Clerk.

No.

Counterpart Agreement to be executed by the Wholesale Vendor of Country Spirits at Depots in the District of

Having been authorized by the Collector of the district of to establish a depot at for the wholesale vend of country spirits in the town of from the 1st day of April 189 to the 31st day of March 189 , I, , son of , residing at do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the license, No. , dated the day of 189 , issued to me by the said Collector.

Dated the day of 189

(Signature.)

No

License granted to Toddy Renter in the District of

I, , Collector of the District, under the provisions of Madras Act I, 1886, hereby appoint you , son of residing at , to be the renter of the exclusive privilege of vending toddy in the toddy rent area of in the taluk of in the district of from the 1st day of October 189 to the 30th day of September 189 subject to the following conditions and stipulations to be observed by you, the said

CONDITIONS.

1. The exclusive privilege conferred by the license extends only to the vend of toddy for consumption within your rent area.

2. The Collector shall be at liberty to issue licenses for the sale of foreign liquors, for the manufacture and the sale of beer, and for the manufacture and the sale of spirits.

3 (i) The amount for which the privilege above described has been purchased shall be payable into a Government treasury in equal monthly instalments due on the 15th of each month, beginning from October 189

(ii) If the deposit made by you be in cash, it will be taken in payment of the instalments due in the last two months of the period of the rent. If the deposit is in Government promissory notes or Postal Savings Bank deposits which you wish to retain, they will be returned to you on payment of the whole of the rental due by you, otherwise they will be sold or disposed of in any other manner and the amount realized taken towards the payment of the instalments due in the last two months of the period of the rent, any balance still due being recovered as if it were an arrear of

land revenue. Failing payment by the 25th of each month, the Tahsildar will immediately proceed to recover the arrears in any of the methods prescribed by section 28 of the Abkári Act. If it be decided to resell the exclusive privilege, the Tahsildar will issue notice of resale not later than the 5th of the following month, and will report the fact to the Collector who will order the immediate suspension of your license, unless he considers it expedient, in the interest of the persons frequenting your shops to allow it to continue provisionally pending resale and issue of license to the new purchaser. The grant of such a concession will lie entirely in the Collector's discretion, and his decision on the point will be final. In either case, the Tahsildar will resell your exclusive privilege on the day fixed with effect from the date of issue of license to the new purchaser and on the resale taking place, the deposit made by you will be applied to cover any arrears which may be due from you and the loss, if any, sustained by such resale and by the suspension, if it occurs, of your license. If your deposit should be more than sufficient to meet these claims, the balance will be forfeited; if insufficient, you will be responsible for the balance still due.

(iii) The resale referred to will, however, be subject to formal confirmation by the Collector, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will, unless revised by the Board of Revenue for special reasons, be tantamount to an acceptance of the bid. The accepted bid will represent the amount which is to be paid for the remaining period of the lease for the exclusive privilege.

(iv) If the Collector does not confirm the resale, he may make such other arrangements as may appear advisable for the remainder of the period of the lease, in which case he shall serve a notice on you informing you of the nature of the arrangements made.

(v) Any sum due by you under the foregoing clauses of this condition shall be collected under Act II of 1864. No remission or abatement of the rent shall on any account whatever be claimable by you.

4. You may draw the toddy you require for sale or have it drawn from toddy trees growing on private lands within or outside your rent area under licenses which will be freely granted on application by Tahsildars, Deputy Tahsildars and Taluk Sheristadars, provided that if the trees are situated in an area in which the tree-tax system is in force, the drawing of toddy will be regulated by the rules in force under that system. No toddy shall be drawn except under a proper license. You may also purchase the toddy you require from any other licensed vendor.

5. You shall be allowed the use of toddy-producing trees growing on Government waste and poramboke lands situated within your rent area excepting reserved forests and reserved lands, or where such trees may have already been given away under tree pattas, but the Collector may, at his discretion, subject to the orders of the Board of Revenue, reserve the trees growing on any such land, and in such case, or in the event of such land being granted for cultivation, you shall have no claim to compensation. The use of cocoanut trees will be allowed only in alternate years, and of date trees subject to the restrictions prescribed in Board's Standing

Order No. 156, clauses 3 and 4 of para. 5.* You shall not have any right to the use of trees in reserved forests or in reserved lands, except on payment of such fees and on such conditions as may be prescribed by the Forest Department.

6. You shall not in any way meddle with, or use, cocoanut, date palmyra, sago or other trees growing in patta or in inam lands or in backyards or land, the property of any individual, without the permission of the owner; nor shall you interfere with the removal of toddy from any such trees growing within your rent area under permits granted by any officer duly authorized in that behalf, by or at the instance of the holder of a license to sell toddy in any area not included in your rent area.

7. You shall be bound to furnish, or cause to be furnished, such information or returns as may be required by the Collector from time to time, regarding the consumption of toddy within your rent area or relating in any way to your management as renter.

8. Toddy shall only be sold in shops duly sanctioned and licensed by the Collector and it shall not be kept or sold at any other place.

9. The Collector may, whenever he thinks fit, direct shops to be closed or permit transfers of shops from one place to another, or direct new shops to be opened and a sufficient supply of toddy to be maintained in all sanctioned shops.

10. Each shopkeeper shall place the license granted to him in a conspicuous place in the shop which shall be located in a decent shed or building. The room or rooms used for the shop shall always be separate from the shopkeepers' dwelling-house, whether they be under the same roof or not. If there is a door of communication between the shop and any adjoining premises, it must be kept locked at night.

11. A signboard shall be affixed in a conspicuous part of the front of each shop containing in †
the name of the shopkeeper, the number of his license and the price of the toddy sold by him.

12. Shopkeepers shall prevent all drunkenness or disorder or gaming within their shops; and persons suffering from leprosy or other contagious diseases shall not be permitted to sell toddy therein.

13. No shop shall be opened before sunrise.

14. Shops shall be closed by 8 o'clock P.M., unless the Collector, for special reasons, shall authorize the keeping open of particular shops to a later hour.

* (1) In no date tree shall the initial incision be made at any point less than five feet from the ground except in the Ceded Districts, where the limit of height from the ground at which date trees may be tapped shall be two feet. Every fresh incision shall not be less than 18 inches above the last in the same tree, measurements being to and from the cross cut at the top of each incision.

(2) No date tree shall be cut into for a greater depth than one-third of its diameter.

† Here enter the vernacular of the district or part of the district in which the shop is situated.

15. Shopkeepers shall not harbour robbers or thieves or riotous persons, but, on the contrary, shall give intimation to the nearest magistrate or police officer as to any such persons who may resort to their shops.

16. Shopkeepers shall not receive any grain, jewels, goods, wearing apparel or other article in barter or in pawn for toddy, but, on the offer of any such, shall give information to the nearest magistrate or police officer.

17. No shopkeeper shall allow any quantity of toddy exceeding three reputed quarts (one-half of a gallon) or such other quantity as may hereafter be prescribed in this behalf, to be removed by any individual at one time from his shop on any pretence whatever, without a valid permit.

18. Shopkeepers shall be bound to furnish such returns and information as may, from time to time, be required by the Collector.

19. The distillation of spirit from toddy is absolutely prohibited.

20. No foreign liquors or country spirit or beer or any liquor other than that to which the license relates shall be kept or sold in shops maintained under this license.

21. No ingredients noxious to health shall be put into the toddy either to increase its intoxicating power or for any other reason.

22. The price at which toddy is sold shall not be below the following minimum :—

	RS.	A.	P.
Per gallon	0	2	0
Per two drams	0	0	1

23. Shopkeepers shall not possess or use any measures other than those that may, from time to time, be prescribed by Government under section 29, clause (*e*), of the Madras Abkári Act, 1886.

24. You shall have such measures tested and stamped at your own expense by the stamping establishments of the district, if the Collector shall so direct.

25. No toddy shall be sold or given to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer or a servant of a railway company whilst on duty; nor to any European vagrant under escort of the police; nor to any child under twelve years of age for consumption on the premises; nor shall any toddy be sold on credit.

26. The Collector may direct that all shops for the sale of toddy on, or adjacent to, the line of march shall be closed whilst a regiment or detachment of European or Native soldiers is passing or encamped in the vicinity. Such soldiers may be supplied with toddy by such persons as the Government may select for the purpose, notwithstanding your exclusive privilege.

27. Except with the permission of the Collector, you shall not sell, transfer or sub-rent your privilege.

28. Every person placed by you in charge of shops shall, before entering upon his employment, execute the engagements prescribed by law. All

engagements entered into by persons to be employed by you on or after the 1st day of October 189 shall be deposited with the Collector within one month from that date or of the date of executing the engagement.

29. If it comes to your knowledge that any person employed by you in the manufacture, carriage, or sale of toddy commits any breach of the Abkari laws or of the engagements entered into by him, it shall be your duty to report the matter to the Collector and to comply with the directions of the Collector respecting the continued employment of such person. You shall not employ in the carriage or sale of liquor persons convicted under the Indian Penal Code without the Collector's permission to be obtained in each case

30. During the term of the license, you shall not have any interest in the privilege of selling country spirits, opium or ganja in any part of the rent area to which the license relates, and shall not permit any person having any interest in the privilege of selling country spirits, opium or ganja in any part of such rent area to hold any share or interest in your exclusive privilege of selling toddy or to conduct sales in your shops in any part of the rent area.

31. Interest shall be payable upon all moneys due by you at the rate of 6 per centum per annum.

32. You shall provide yourself and your shopkeepers with printed forms or permits for transport and possession of liquor. Such permits shall be in the form prescribed in the appendix to Board's Standing Order No. 162, and shall be purchased from the local Revenue officer. You shall not be allowed to sign blank permits to be filled up subsequently.

33. In case of any breach of the conditions of the license either by you or, with your connivance or privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding the sum of Rs. 50 for every such breach of such conditions, or, at the option of the Collector, to declare the money or Government promissory notes or Postal Savings Bank deposits deposited with him forfeited and to cancel the license and resell the exclusive privilege at your risk, or to place the rent area under the management of Government; and all loss thereby caused shall be made good by you. It shall be lawful for the Collector to deduct the amount of all fines imposed under this clause from any sums deposited by you as security for the due performance of the conditions of the license, or to realize the amount of such fines by the disposal of any or all of the Government promissory notes or Postal Savings Bank deposits deposited by you. Whenever a lease is cancelled, the rent for the whole period of the lease shall become due at once.

34. The imposition of a fine, or the forfeiture of deposit, or the cancellation of the license under the last preceding condition shall not be held to prevent the prosecution of any person for any offence which may be committed against the provisions of the Madras Abkári Act, 1886, or any other law for the time being in force and relating to the Abkári revenue.

35. If you shall be convicted on prosecution before a magistrate of any offence against the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue, it shall be lawful for

the Collector to declare your license forfeited. If you shall be convicted under the Indian Penal Code, such conviction shall render you liable to forfeiture of your license, if the offence of which you are convicted is such as, in the opinion of the Collector, renders you unfit to hold it.

36. All sums payable by you may be deducted from the amount of your deposit, or recovered by attachment and sale of your property under any law for the time being in force for the recovery of arrears of land revenue.

37. Any sums deducted by the Collector under the powers herein contained from the deposit made by you for the due performance of the contract shall be replaced by you within fifteen days from the receipt of a notice from the Collector informing you of such deductions having been made.

38. The Collector reserves to himself the right to grant "occasional licenses" for the sale of toddy on the occurrence of fairs, festivals, &c., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall, however, be issued to your representatives and their period shall not exceed ten days and the fee to be paid therefor shall be fixed at the discretion of the Collector.

39. You shall be bound by any additional general rules which may, from time to time, be prescribed under the Abkári laws now in force, or which may hereafter be enacted, and shall, on requisition by the Collector, or other officer duly authorized by him deliver up your license for amendment or for the issue of a fresh license accordingly.

Dated day of 189 .

Collector.

Huzur Sheristada

Vernacular Clerk.

No.

Counterpart Agreement executed by Toddy Renter in the District of

Having been appointed by the Collector of the District of the renter of the exclusive privilege of vending toddy in the toddy rent area of , in the taluk of from the 1st day of October 189 to the 30th day of September 189 I, , son of , residing at , do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the license, No. , dated the day of 189 , issued to me by the said Collector.

Dated the day of 189

(Signature.)

No.

Toddy Depôt License.

I. , Collector of the district of , hereby license you, appointed to the charge of the toddy depôt at the place specified in the schedule hereunto annexed by renter of the exclusive privilege of selling toddy in the rent area of in the taluk of in the district of to sell the said toddy at the said depôt on the following conditions :—

Conditions.

1. You shall place this license in a conspicuous place in the depôt. The room or rooms used for your depot shall always be separate from your dwelling-house, whether they be under the same roof or not. If there is a door of communication between the depot and any adjoining premises, it must be locked up at night.

2. You shall not mix, or knowingly permit any other person to mix in the toddy under your charge, any ingredient pernicious to health or any other noxious material to increase the intoxicating quality of the toddy or for any other reason. You shall not allow persons suffering from leprosy or other contagious diseases to conduct sales in your depôt.

3. You shall issue toddy only to licensed shopkeepers.

4. You shall not receive any grain, jewels, goods, wearing apparel, or other property in barter or in pawn for toddy, but, on the offer of any such, shall give information to the nearest magistrate or police officer.

5. You shall not allow any quantity of toddy exceeding three reputed quarts (one-half of a gallon) to be removed from your depôt without a valid permit in the prescribed form on any pretence whatever. The permit shall be signed and granted when issuing the toddy.

6 You shall not open your depôt before sunrise nor keep it open after sunset; nor shall you harbour any person in it during the night.

7 You shall keep an account showing the quantity of toddy received each day, the quantity sold, and the quantity remaining unsold, and to produce this account when called on to do so by the Collector or by any Abkári officer not below the rank of Sub-Inspector.

8. You shall furnish such returns and information as may, from time to time, be required by the Collector.

9. The distillation of spirit from toddy is absolutely prohibited.

10. You shall not possess or use any measures other than those that may, from time to time, be prescribed by Government under section 29, clause (*e*) of the Madras Abkári Act, 1886.

11. You shall not keep or sell in your depôt any liquor other than that to which the license relates.

12. Any breach of the above engagement or of any of its conditions will subject you to fine for each offence or to the forfeiture of your license at the discretion of the Collector, and, should it amount to the offence of adultera-

tion, will subject you under section 272 of the Penal Code to be sentenced to imprisonment and hard labour for six months and to a fine of Rs. 1,000.

13. This license may be recalled by me at any time; otherwise it will remain in force during the currency of the said 's license.

Schedule showing the Boundaries of the Depôt.

Street and Door Number or other particulars.	Bounded on the				Remarks.
	North by	East by	South by	West by	

Collector.

Huzur Sheristadar.

Vernacular Clerk.

No.

Counterpart Agreement to be executed by the Toddy Depôt-keeper in the

Having been authorized by the Collector of the district of at the instance of the renter of the exclusive privilege of selling toddy in the rent area of in the taluk of in the district of to establish a dopôt at for the issue of toddy to shopkeepers in the taluk of , from the 1st day of October 189 to the 30th day of September 189 , I, , son of , residing at , do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the License, No. , dated the day of 189 issued to me by the said Collector.

Dated the day of 189

(Signature.)

No.

License granted to Toddy Shopkeeper appointed by Toddy Renter in the District of

I, , Collector of the district, under the provisions of Madras Act I, 1886, hereby license you, appointed to the

charge of a shop at by the renter of the exclusive privilege of vending toddy in the toddy rent area of in the taluk of , in the district of , from the 1st day of October 189 to the 30th day of September 189 , subject to the following conditions and stipulations to be observed by you, the said

CONDITIONS.

1. You shall place this license in a conspicuous place in your shop which shall be located in a decent shed or building. The room or rooms used for the shop shall always be separate from your dwelling-house, whether they be under the same roof or not. If there is a door of communication between the shop and any adjoining premises, it must be kept locked at night

2. You shall fix in a conspicuous part of the front of your shop a sign-board containing in * your name, the nature and number of your license, and the price of the toddy sold by you.

3. You shall not keep or sell toddy at any other place than that specified in this license.

4. You shall prevent all drunkenness or disorder or gaming in your shop, and you shall not permit persons suffering from leprosy or other contagious diseases to conduct sales therein.

5. You shall not open your shop before sunrise.

6. You shall not keep your shop open after 8 P.M., unless the Collector, for special reasons, shall generally or specially authorize your doing so, nor shall you allow any one to remain in your shop during night.

7. You shall not harbour robbers or thieves or riotous persons in your shop, but, on the contrary, shall give intimation to the nearest magistrate or police officer as to any such persons who may resort to your shop.

8. You shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for toddy, but, on the offer of any such, shall give information to the nearest magistrate or police officer.

9. You shall not allow any quantity of toddy exceeding three reputed quarts (one-half of a gallon), or such other quantity as may hereafter be prescribed in this behalf, to be removed by any individual at one time from your shop on any pretence whatever, without a valid permit.

10. You shall be bound to furnish such returns and information as may from time to time be required by the Collector.

11. You shall not distil spirits from toddy.

12. No country spirits or foreign liquor, or beer or any liquor other than that to which the license relates shall be kept or sold by you in the shop maintained under this license.

13. No ingredients noxious to health shall be put into the toddy either to increase its intoxicating power or for any other reason.

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* Here enter the vernacular of the district or part of the district in which the shop is situated.

14. You shall not sell toddy below the following minimum price :—

	RS.	A.	P.
Per gallon	0	2	0
Per two drams	0	0	1

15. You shall not possess or use any measures other than those that may, from time to time, be prescribed by Government under section 29, clause (*e*) of the Madras Abkári Act, 1886.

16. Such measures shall be tested and stamped by the stamping establishments of the district, if the Collector shall so direct.

17. You shall not sell or give any toddy to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police; nor to any child under twelve years of age for consumption on the premises; nor shall you sell any toddy on credit.

18. You shall close your shop if situated on, or adjacent to, the line of march whilst a regiment or detachment of European or Native soldiers is passing or encamped in the vicinity should the Collector so direct.

19. Your license shall be in force only so long as your renter's license is so, and you shall not conduct sales in your shop under cover of this license in the event of your renter's license being cancelled or suspended. In the event of the renter's area being taken under the management of Government, you shall be bound to continue to sell toddy on behalf of Government as long as you may be required to do so.

Dated the day of 189

Schedule showing the Boundaries of the Shop.

Street and Door Number or other particulars.	Bounded on the				Remarks.
	North by	East by	South by	West by	

Collector.

Huzur Sheristadar.

Vernacular Clerk.

No.

Counterpart Agreement executed by Toddy Shopkeeper appointed by Toddy Renter in the District of

I, son of residing at appointed to the charge of a shop at by the renter of the exclusive privilege of vending toddy in the toddy rent area or . in the taluk of , in the district of , from the 1st day of October 189 to the 30th day of September 18 having been licensed by the Collector of the district of to sell toddy in the said shop from the 1st day of October 189 to the 30th day of September 189 do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the license, No. , dated the day of 189 , issued to me by the said Collector.

Dated the day of 189

(Signature.)

No.

License granted to Independent Shopkeepers to Vend Toddy in the $\frac{\text{Town}}{\text{Taluk}}$ of

I, , Collector of the district, under the provisions of Madras Act I, 1886, hereby license you, , son of residing at , to establish a shop at in the $\frac{\text{Town}}{\text{Taluk}}$ of , and sell toddy therein from the 1st day of October 189 to the 30th day of September 189 , subject to the following conditions and stipulations to be observed by you, the said

Conditions of License.

1. The privilege conferred by the license extends only to the sale of toddy.

2. (i) The monthly amount for which the privilege has been purchased shall be payable into a Government treasury on or before the 15th day of each month, beginning with October 189

(ii) If the deposit made by you be in cash, it will be taken in payment of the instalments due in the last two months of the period of the rent. If the deposit is in Government promissory notes or Postal Savings Bank deposits which you wish to retain, they will be returned to you on payment of the whole of the rental due by you, otherwise they will be sold or disposed of in any other manner and the amount realized taken towards the payment of the instalments due in the last two months of the period of

the rent, any balance still due being recovered as if it were an arrear of land revenue. Failing payment by the 25th of each month, the Tahsildar will immediately proceed to recover the arrears in any of the method prescribed by section 28 of the Abkári Act. If it be decided to re-sell the privilege, the Tahsildar will suspend your license and issue notice of resale of your privilege not later than the 5th of the following month, and will re-sell it on the day fixed with effect from the date of the issue of license to the new purchaser. In that case the deposit will be applied to cover arrears due, and the loss, if any, by such suspension and resale, and, if it should be more than sufficient to do so, the balance will be forfeited. If, however, the deposit should fall short of the arrears due and the loss by resale, you will be responsible for the difference.

(iii) The resale referred to will, however, be subject to formal confirmation by the Collector, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will, unless revised by the Board of Revenue for special reasons, be tantamount to an acceptance of the bid. The accepted bid will represent the amount which is to be paid for the remaining period of the lease for the privilege

(iv) If the Collector does not confirm the resale, he may make such other arrangements as may appear advisable for the remainder of the period of the lease, in which case he shall serve a notice on you informing you of the nature of the arrangements made.

(v) Any sum due by you under the foregoing clauses of this condition shall be collected under Act II of 1864. No remission or abatement of the rent shall on any account whatever be claimable by you.

3. You may draw the toddy you require for sale or have it drawn from toddy trees growing on private lands within or outside the town or taluk in which your shop is situated under licenses which will be freely granted on application by Tahsildars, Deputy Tahsildars and Taluk Sheristadars, provided that, if the trees are situated in an area in which the tree-tax system is in force, the drawing of toddy will be regulated by the rules in force under that system. No toddy shall be drawn except under a proper license. You may also purchase the toddy you require from any other licensed vendor.

4. You shall not in any way meddle with or use cocoanut, date, palmyra or other trees growing in putta or inam lands, or in backyards or land the property of any individual without the permission of the owner.

5. You shall have no right to the free use of cocoanut, palmyra, date and sago trees standing on Government waste or poramboke lands within or outside the area in which your shop is situated. The usufruct of such trees, together with the right to allow the trees to be tapped by persons duly licensed, will be separately disposed of, and you must make your own arrangement with the renter of such trees. In the case of trees on lands belonging to the Public Works Department or the Local Fund Department, you should pay such fees as may be prescribed by those departments or obtain the consent of the person to whom the trees may have been leased. You shall not have any right to the use of trees in reserved forests or in

reserved lands except on payment of such fees and on such conditions as may be prescribed by the Forest Department.

6. You shall place the license granted to you in a conspicuous place in the shop, which shall be located in a decent shed or building. The room or rooms used for the shop shall always be separate from your dwelling house, whether they be under the same roof or not. If there is a door of communication between your shop and any adjoining premises, it must be kept locked at night.

7. You shall fix in a conspicuous part of the front of your shop a sign-board on which your name and the number of your license and the price of toddy sold by you shall be legibly inscribed in *

8. You shall maintain a sufficient supply of toddy in your shop.

9. You shall prevent all drunkenness or disorder or gaming within your shop and shall not allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

10. You shall not harbour robbers or thieves or riotous persons, but, on the contrary, shall give intimation to the nearest magistrate or police officer as to any such persons who may resort to your shop.

11. You shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for toddy; but, on the offer of any such, shall give information to the nearest magistrate or police officer.

12. You shall not allow any quantity of toddy exceeding three reputed quarts (one-half of a gallon), or such other quantity as may hereafter be prescribed in this behalf, to be removed by any individual at one time from your shop on any pretence whatever without a valid permit.

13. You shall not open your shop before sunrise, nor keep it open after 9 P.M., unless the Collector shall generally or specially authorize your doing so, nor harbour any one in your shop during the night.

14. You shall not sell or give any toddy to any European non-commissioned officer, or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police; nor to any child under twelve years of age for consumption on the premises; nor shall you sell any toddy on credit.

15. The Collector may direct that the shop, if situated on, or adjacent to, the line of march, shall be closed while a regiment or detachment of European or Native soldiers is passing or is encamped in the vicinity. It shall also be competent to the Collector to permit transfers of shops from one locality to another, or to direct shops to be closed on grounds of police administration or expediency.

16. You shall furnish such returns and information as may from time to time be required by the Collector.

17. The distillation of spirits from toddy is absolutely prohibited.

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* Here enter the vernacular language of the district or part of the district in which your shop is situated.

18. You shall not sell any toddy not obtained in the manner specified in condition 3 *supra*, and no ingredients noxious to health shall be put into the toddy either to increase its intoxicating power or for any other reason.

19. You shall not sell toddy below 3 annas per gallon or 3 pies per four drams, nor shall you keep or sell toddy at any other place than that specified in this license.

20. You shall not possess or use any measures other than those that may from time to time be prescribed by the Government under section 29, clause (*e*) of the Madras Abkári Act, 1886, and shall have such measures tested and stamped by the stamping establishments of the district, if the Collector shall so direct.

21. No foreign liquors or spirits manufactured in the country or country beer or any liquor other than that to which the license relates shall be kept or sold in shops maintained under this license.

22. During the term of the contract, you shall not have any interest in the privilege of selling country spirits, opium or ganja within the town or taluk, as the case may be, in which your shop is situated, or permit any person having any interest in the privilege of selling country spirits, opium or ganja within the said town or taluk to hold any share or interest in your privilege of vending toddy under this license.

23. Except with the permission of the Collector you shall not sell transfer or sub-rent your privilege to any other person.

24. Interest upon all moneys due by you shall be payable at the rate of 6 per cent. per annum.

25. All sums payable by you under this license may be deducted from the amount of your deposit, or recovered by attachment and sale of your property under any law for the time being in force for the recovery of arrears of land revenue.

26. Any sums deducted by the Collector under the powers herein contained from the deposit made by you as security for the performance of the contract shall be replaced by you within fifteen days from the receipt of a notice from the Collector informing you of such deductions having been made.

27. In case of any breach of the conditions of the license, either by you or with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding the sum of Rs. 10 for every such breach of such conditions, or, at the option of the Collector, to declare the money or Government promissory notes or Postal Savings Bank Deposits deposited with him forfeited and to cancel the license and re-sell the privilege at your risk, and all loss thereby caused shall be made good by you. It shall be lawful for the Collector to deduct the amount of all fines imposed under this clause from any sums deposited by you as security for the due performance of the conditions of the license, or to realize the amount of such fines by the disposal of any or all of the Government promissory notes or Postal Savings Bank Deposits deposited by you. When a lease is cancelled, the rent for the whole period of the lease shall become due at once.

28. The imposition of a fine or the forfeiture of deposit or the cancellation of license under the last preceding condition shall not be held to

prevent the prosecution of any person for any offence which may be committed against the provisions of the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue.

29. If you shall be convicted on prosecution before a magistrate of any offence against the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue, it shall be lawful for the Collector to declare your license forfeited. If you shall be convicted under the Indian Penal Code, such conviction shall render you liable to forfeiture of your license, if the offence of which you are convicted be such as, in the opinion of the Collector, renders you unfit to hold it.

30. If it comes to your knowledge that any person employed by you in the drawing or carriage or sale of toddy commits any breach of the Abkári laws, or of engagements entered into by him, it shall be your duty to report the matter to the Collector, and to comply with the directions of the Collector respecting the continued employment of such person. You shall not employ in the carriage or sale of liquor any person convicted under the Indian Penal Code, without the Collector's permission to be obtained in therefor each case.

31. The Collector reserves to himself the right to grant "occasional licenses" for the sale of toddy on the occurrence of fairs, festivals, &c., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall, however, be issued to the shopkeeper who supplies the locality and their period shall not exceed ten days and the fee to be paid therefore shall be fixed at the discretion of the Collector.

32. You shall be bound by such additional general rules as may be prescribed under the Abkári laws existing at present or which may hereafter be enacted, and shall, on requisition by the Collector or other officer duly authorized by him, deliver up your license for amendment or for the issue of a fresh license accordingly.

Dated the day of 189

Schedule showing the Boundaries of the Shop.

Street and Door Number or other particulars.	Bounded on the				Remarks.
	North by	East by	South by	West by	

Collector.

Huzur Peristaadar.

Vernacuar Clerk.

No.

Counterpart Agreement executed by Independent Toddy Shopkeeper in the $\frac{\text{Town}}{\text{Taluk}}$ of

Having been authorized by the Collector of the District of to establish a shop for the sale of toddy at in the $\frac{\text{Town}}{\text{Taluk}}$ of from the 1st day of October 189 to the 30th day of September 189 . I, ,-son of residing at do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the License, No. , dated the day of 189 . issued to me by the said Collector.

Dated the day of 189 .

(Signature.)

FORM T.T. 5.

License granted to Shopkeepers to vend Toddy in the Taluk of

I, , Collector of the dstrict, under the provisions of Madras Act I, 1886, hereby license you, son of , residing at , to establish a shop at , in the taluk of , and sell toddy therein from the 1st October 189 to the 30th day of September 189 , subject to the following conditions and stipulations to be observed by you, the said

CONDITIONS OF LICENSE.

1. The privilege conferred by this license extends only to the sale of toddy.

2. The monthly amount for which the privilege is purchased shall be payable into a Government treasury on or before the fifteenth day of each month, beginning with the 15th October 189 If the deposit made by you be in cash, it will be taken in payment of the instalments due in the last two months of the period of the rent. If the deposit is in Government promissory notes or Postal Savings Bank deposits which you wish to retain, they will be returned to you on payment of the whole of the rental due by you, otherwise they will be sold or otherwise disposed of and the amount realized taken towards the payment of the instalments due in the last two months of the period of the rent, any balance still due being recovered as if it were an arrear of land revenue

3. You may draw the toddy you require for sale, or may have it drawn, under separate tree-tapping licenses to be obtained under the rules relating to the tree-tax system published by Government, from toddy-trees growing on private lands within the tract in which the shop is situated and in which the tree-tax system is in force; or may purchase it from any other licensed toddy shopkeeper within the same tract; but no toddy, except that which is the produce of cocoanut, palmyra, date or sago trees, for the tapping of which a license has been issued under the rules above mentioned, shall be kept in the shops, offered for sale or sold by you, nor shall sweet toddy, even if it be the produce of marked trees, be kept or sold by you. Provided that you shall not in any way meddle with or use cocoanut, palmyra, date or sago trees growing in putta or inam lands, or in backyards, or on land the property of any individual, without the permission of the owner. Provided also that you shall not sell any toddy unless you have also taken out a tree-tapping license under the said rules in your own name or in the name of some person nominated by you for such minimum number of trees as may be prescribed by the Collector. You shall take out a tree-tapping license and open your shop within a reasonable period to be determined by the Collector.

4. You shall have no right to the free use of cocoanut, palmyra, date and sago trees standing on Government waste or poramboke lands within or outside the area in which your shop is situated. The usufruct of such trees, together with the right to allow the trees to be tapped by persons duly licensed, will be separately disposed of, and you must make your own arrangement with the renters of such trees. In the case of trees on lands belonging to the Public Works Department or the Local Fund Department you should pay such fees as may be prescribed by those departments or obtain the consent of the person to whom the trees may have been leased. You shall not have any right to the use of trees in reserved forests or in reserved lands except on payment of such fees and on such conditions as may be prescribed by the Forest Department.

5. You shall be responsible to Government for all payments of instalments of fee due on account of tree-tapping licenses granted on your application in your own name or in the names of your nominees under the conditions set forth therein and in the said rules.

6. (i) Failing payment of any of the instalments hereinbefore mentioned, the Tahsildar will immediately proceed to recover the arrears in any of the methods prescribed by section 28 of the Abkári Act. If it be decided to resell the privileges, the Tahsildar will suspend your license and issue notice of re-sale, and will re-sell them on the day fixed, with effect from the date of the issue of license to the new purchaser. In that case the deposit will be applied to cover arrears due and the loss, if any, by such suspension and resale, and if it should be more than sufficient to do so, the balance will be forfeited. If, however, the deposit should fall short of the arrears due and the loss by re-sale, you will be responsible for the difference.

(ii) The resale referred to will, however, be subject to formal confirmation by the Collector, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will, unless revised by the

Board of Revenue for special reasons, be tantamount to an acceptance of the bid. The accepted bid will represent the amount which is to be paid for the remaining period of the lease for the privilege.

(iii) If the Collector does not confirm the resale, he may make such other arrangements as may appear advisable for the remainder of the period of the lease, in which case he shall serve a notice on you informing you of the nature of the arrangements made.

(iv) Any sum due by you under the foregoing clauses of this condition shall be collected under Act II of 1864. No remission or abatement of the rent shall on any account whatever be claimable by you.

(v) You shall also, if so required by the Collector, deliver up to the Collector this license and all the tree-tapping licenses which shall have been granted on your application.

7. You shall place the license granted to you in a conspicuous place in the shop which shall be located in a decent shed or building. The room or rooms used for the shop shall always be separate from your dwelling house, whether they be under the same roof or not. If there is a door of communication between the shop and any adjoining premises, it must be kept locked at night.

8. You shall fix in a conspicuous part of the front of your shop a sign-board on which your name and the number of your license and the price of toddy sold by you shall be legibly inscribed in.*

9. You shall maintain a sufficient supply of toddy in your shop, which shall be kept open every day when trees from which it is supplied are being tapped.

10. You shall prevent all drunkenness or disorder or gaming within your shop, and shall not allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

11. You shall not harbour robbers or thieves or riotous persons, but, on the contrary, shall give intimation to the nearest magistrate or police officer as to any such persons who may resort to your shop.

12. You shall not receive any grain, jewels, goods, wearing apparel or other article in barter or in pawn for toddy, but, on the offer of any such shall give information to the nearest magistrate or police officer.

13. You shall not allow any quantity of toddy exceeding three reputed quarts (one-half of a gallon), or such other quantity as may hereafter be prescribed in this behalf, to be removed by any individual at one time from your shop on any pretence whatever, without a valid permit.

14. You shall not open your shop before sunrise, nor keep it open after 9 P.M., unless the Collector shall, generally or specially, authorize your doing so, nor harbour any one in the shop during the night.

15. You shall not sell or give any toddy to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons, without the permission in writing of the commanding officer, or of some

* Here enter the vernacular language of the district or part of the district in which the shop is situated.

person duly authorized by him in that behalf, nor to any sailor: nor to any sepoy, member of the police force, Salt and Abkari officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police; nor to any child under twelve years of age for consumption on the premises; nor shall you sell any toddy on credit.

16. The Collector may direct that the shop, if situated on, or adjacent to, the line of march, shall be closed while a regiment or detachment of European or Native soldiers is passing or encamped in the vicinity. It shall also be competent to the Collector to permit transfers of shops from one locality to another, or to direct shops to be closed on grounds of police administration or expediency.

17. You shall furnish such returns and information as may from time to time be required by the Collector.

18. The distillation of spirits from toddy is absolutely prohibited.

19. No ingredients noxious to health shall be put into the toddy either to increase its intoxicating power or for any other reason

20. You shall not sell toddy below four annas per gallon or one pie per dram, nor shall you keep or sell toddy at any other place than that specified in this license.

21. You shall not possess or use any measures other than those that may from time to time be prescribed by Government under section 29, clause (*e*) of the Madras Abkári Act, 1886, and shall have such measures tested and stamped by the stamping establishment of the district, if the Collector shall so direct.

22. No foreign liquors or spirits manufactured in the country or country beer or any liquor other than that to which the license relates shall be kept or sold in shops maintained under this license.

23. During the term of the contract, you shall not have any interest in the privilege of selling country spirits, opium or ganja, within the taluk in which your shop is situated, or permit any person having any interest in the privilege of selling country spirits, opium or ganja, within the said taluk to hold any share or interest in your privilege of vending toddy under this license.

24. Except with the permission of the Collector you shall not sell, transfer or sub-rent your privilege.

25. Interest upon all moneys due by you shall be payable at the rate of 6 per centum per annum.

26. All sums payable by you under this license may be deducted from the amount of your deposit, or recovered by the attachment and sale of your property under any law for the time being in force for the recovery of arrears of land revenue.

27. Any sums deducted by the Collector under the powers herein contained from the deposit made by you as security for the performance of the contract shall be replaced by you within fifteen days from the receipt of a notice from the Collector informing you of such deductions having been made

28. In case of any breach of the conditions of the license, either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding the sum of Rupees 10 for every such breach of such conditions, or, at the option of the Collector, to declare the money or Government promissory note or Postal Savings Bank deposits deposited with him forfeited and to cancel the license and re-sell the privilege at your risk, and all loss thereby caused shall be made good by you. It shall be lawful for the Collector to deduct the amount of all fines imposed under this clause from any sums deposited by you as security for the due performance of the conditions of the license, or to realize the amount of such fines by the disposal of any or all of the Government promissory notes or Postal Savings Bank deposits deposited by you. When a lease is cancelled, the rent for the whole period of the lease shall become due at once.

29. The imposition of a fine, or the forfeiture of deposit or the cancellation of license under the last preceding condition shall not be held to prevent the prosecution of any person for any offence which may be committed against the provisions of the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue.

30. If you shall be convicted on prosecution before a magistrate of any offence against the Madras Abkári Act of 1886, or other law for the time being in force and relating to the Abkári revenue, it shall be lawful for the Collector to declare your license forfeited. If you shall be convicted under the Indian Penal Code, such conviction will render you liable to forfeiture of your license if the offence of which you are convicted be such, as in the opinion of the Collector, renders you unfit to hold it.

31. If it comes to your knowledge that any person employed by you in the drawing or carriage or sale of toddy commits any breach of the Abkári laws, it shall be your duty to report the matter to the Collector, and to comply with the directions of the Collector respecting the continued employment of such person. You shall not employ in the carriage or sale of liquor any person convicted under the Indian Penal Code without the Collector's permission to be obtained in each case.

32. The Collector reserves to himself the right to grant 'occasional licenses' for the sale of toddy on the occurrence of fairs, festivals, &c., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall, however, be issued to the shopkeeper who supplies the locality and their period shall not exceed ten days and the fee to be paid therefor shall be fixed at the discretion of the Collector.

33. You shall be bound by such additional general rules as may be prescribed under the Abkári laws existing at present, or which may hereafter be enacted, and shall, on requisition by the Collector, or other officer duly authorized by him, deliver up your license for amendment or for the issue of a fresh license accordingly.

Dated the day of 189

Schedule showing the Boundaries of the Shop.

Street and Door Number or other particulars.	Boundaries on the North by	East by	South by	West by	Remarks.

Collector

Huzur Sheristadar.

Vernacular Clerk.

No.

Counterpart Agreement executed by Independent Toddy Shopkeeper under the Tree-Tax System in the Taluk of

Having been authorized by the Collector of the district of to establish a shop under the tree-tax system for the sale of toddy in the taluk of , from the 1st day of October 189 to the 30th day of September 189 , I, son of , residing at do for myself, my heirs, my legal representatives and assigns, hereby agree with the said Collector that I will well and truly observe and perform the conditions and stipulations contained in the License No. dated the day of 189 , issued to me by the said Collector.

Dated the day of 189

(Signature.)

FORM T.T. 5.

No.

License granted to Independent Toddy Shopkeepers under the Tree-Tax System in the Madras Town Circle.

I, Deputy Commissioner of Salt and Abkári Revenue, Central Division, under the provisions of Madras Act I, 1886, hereby license you son of

residing at , to sell toddy at shop No. of class in from the 1st October 189 to the 30th day of September 189 , subject to the following conditions and stipulations to be observed by you the said

CONDITIONS OF LICENSE.

1. The privilege conferred by this license extends only to the sale of toddy drawn from cocoanut, palmyra, date or sago trees.

2. The amount due for this license shall be payable in equal monthly instalments due on the first of each month beginning from October 189 as shown below:—

			RS.	A.	P.
On the 1st of	October	189			
,,	November	,, ...			
,,	December	,, ...			
,,	January	,, ...			
,,	February	,, ...			
,,	March	,, ...			
,,	April	,, ...			
,,	May	,, ...			
,,	June	,, ...			
,,	July	,, ...			
,,	August	,, ...			
,,	September	,, ...			

3. The annual fee payable for the shop is liable to be varied at the pleasure of Government, as also is the rate of tree-tax.

4. The license will be renewed to you for another year only if the conditions of the license have been faithfully observed, but the Board reserves power to refuse the renewal without assigning any reason.

5. If the license is cancelled during the year or not renewed at the end of the year, it may be disposed of by Government by auction sale or by any other mode Government may order.

6. As the license is personal and not transferable, no transfer to any other person by sale, inheritance, gift, or otherwise will be recognized unless the transferree has been previously approved in writing by the Deputy Commissioner and unless a sum equal to six months' rental has been paid to the Deputy Commissioner. Any proposed transferree may be rejected by the Deputy Commissioner without reason assigned.

7. The terms of the license shall be liable to modification from time to time under the orders of Government, provided that such modifications shall not be made in the license for the year then current.

8. You shall deposit as security for the due fulfilment of the conditions of this license a sum of money equivalent to two months' instalments of fees due for it. The deposit may be taken in payment of the instalments due in the last two months of the period of the license.

9. You may draw the toddy you require for sale, or may have it drawn, under separate tree-tapping licenses to be obtained under the rules relating

to the tree-tax system published by Government, from toddy-trees growing on private lands within the Madras Town Circle, or may purchase it from any other licensed toddy shopkeeper within the same tract; but no toddy, except that which is the produce of cocoanut, palmyra, date or sago trees, for the tapping of which a license has been issued under the rules above-mentioned, shall be kept in the shops, offered for sale or sold by you, nor shall sweet toddy, even if it be the produce of marked trees, be kept or sold by you. Provided that you shall not in any way meddle with or use cocoanut, palmyra, date or sago trees growing in puttah or inam lands, or in backyards or on land the property of any individual, without the permission of the owner. Provided also that you shall not sell any toddy unless you have also taken out a tree-tapping license under the said rules in your own name or in the name of some person nominated by you for such minimum number of trees as may be prescribed by the Deputy Commissioner, Central Division. The license shall be liable to be cancelled should you fail to take out a tree-tapping license and open your shop within one month from the date of the issue of this license.

10. You shall have no right to the free use of cocoanut, palmyra, date and sago trees standing on Government waste or poramboke lands within or outside the area in which your shop is situated. The usufruct of such trees, together with the right to allow them to be tapped for toddy by persons duly licensed, will be separately disposed of, and you must make your own arrangement with the renters of such trees. In the case of trees on land belonging to the Public Works Department or the Local Fund Department you should pay such fees as may be prescribed by those departments or obtain the consent of the person to whom the trees may have been leased. You shall not have any right to the use of trees in reserved forests or in reserved lands except on payment of such fees and on such conditions as may be prescribed by the Forest Department

11. You shall be responsible to Government for all payments of instalments of fee due on account of tree-tapping licenses granted on your application in your own name, or in the names of your nominees under the conditions set forth therein and in the said rules. You shall produce every month at the time of paying the instalments due the tree-tapping receipt issued on account of your shop, so that the payment of the instalments may be noted in it. If you fail to do so, you shall pay a penalty of one rupee and take out a fresh receipt.

12. Failing payment of any of the instalments herein before mentioned, this license and all the tree-tapping licenses granted on your application shall be liable to be suspended or cancelled at the discretion of the Deputy Commissioner, Central Division, and your shop shall be disposed of in such manner as may be ordered by him

13. Should your license be cancelled under conditions 9 or 12 *supra*, you shall pay immediately all the instalments of fees due on this license and on the tree-tapping licenses issued on your application. In that case the deposit paid by you shall be applied to cover the amount due by you, and if it be more than sufficient to do so, the balance will be forfeited. If, however, the deposit should fall short of the amount due, you will be

responsible for the difference. Any sum due by you under the foregoing clauses of this condition shall be collected under Act II of 1864 or Act VI of 1867 as the case may be. You shall also, if so required, deliver up to the Deputy Commissioner or the Inspector, Madras Town Circle, or any officer authorized by either of them in this behalf, this license and all the tree-tapping licenses which shall have been granted on your application.

14. The distillation of spirits from toddy is absolutely prohibited.

15. You shall place the license granted to you in a conspicuous place in the shop which shall be located in a decent shed or building. The room or rooms used for the shop shall always be separate from your dwelling house, whether they be under the same roof or not. If there is a door of communication between the shop and any adjoining premises, it must be kept locked at night.

16. You shall fix in a conspicuous part of the front of your shop a sign-board on which your name and the number of your license and the price of toddy sold by you shall be legibly inscribed in the vernacular language of the district or part of the district in which the shop is situated.

17. You shall not open your shop before sunrise, nor keep it open after 10 P.M., unless generally or specially authorized to do so, nor shall you harbour any one in the shop during the night.

18. You shall not harbour robbers or thieves or riotous persons, but, on the contrary, shall give intimation to the nearest magistrate or police officer as to any such persons who may resort to your shop.

19. You shall prevent all drunkenness or disorder or gaming within your shop, and shall not allow persons suffering from leprosy or other contagious diseases to conduct sales therein. You shall maintain a sufficient supply of toddy in your shop, which shall be kept open every day when trees from which it is supplied are being tapped.

20. You shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for toddy, but on the offer of any such shall give information to the nearest magistrate or police officer.

21. You shall not allow any quantity of toddy exceeding three reputed quarts (one-half of a gallon), or such other quantity as may hereafter be prescribed in this behalf, to be removed by any individual at one time from your shop on any pretence whatever, without a valid permit.

22. No foreign liquors or spirits manufactured in the country or country beer or any liquor other than that to which the license relates shall be kept or sold in shops maintained under this license.

23. You shall not possess or use any measures other than those that may from time to time be prescribed by Government under section 29, clause (*e*) of the Madras Abkári Act, 1886, and shall have such measures tested and stamped by the stamping establishment of the district.

24. No ingredients noxious to health shall be put into the toddy either to increase its intoxicating power or for any other reason.

25. You shall not sell or give any toddy to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons,

without the permission in writing of the commanding officer, or of some person duly authorized by him in that behalf, nor to any sailor: nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty: nor to any European vagrant under escort of the police: nor to any child under twelve years of age for consumption on the premises: nor shall you sell any toddy on credit.

26. The Deputy Commissioner, Central Division, may direct that the shop, if situated on, or adjacent to, the line of march, shall be closed while a regiment or detachment of European or Native soldiers is passing or encamped in the vicinity.

27. You shall maintain a daily account showing the quantity of toddy brought to your shop, the quantity sold, the price at which it was sold, and the balance remaining unsold at the end of each day. Such account shall be produced for the inspection of all Abkári officers of not lower rank than Sub-Inspector.

28. You shall furnish such returns and information as may from time to time be required by the Deputy Commissioner, Central Division.

29. Interest upon all moneys due by you shall be payable at the rate of 6 per centum per annum.

30. All sums payable by you under this license may be deducted from the amount of your deposit, or recovered by the attachment and sale of your property under any law for the time being in force for the recovery of arrears of land revenue.

31. You shall not sell toddy below 4 annas per gallon, or 1 pie per dram, nor shall you keep or sell toddy at any other place than that specified in this license.

32. During the term of the contract, you shall not have any interest in the privilege of selling country spirits, opium or ganja, within the Madras Town Circle, or permit any person having any interest in the privilege of selling country spirits, opium or ganja, within the said tract to hold any share or interest in your privilege of vending toddy under this license.

33. Any sums deducted by the Deputy Commissioner under the powers herein contained from the deposit made by you as security for the performance of the contract shall be replaced by you within fifteen days from the receipt of a notice from the Deputy Commissioner informing you of such deductions having been made.

34. In case of any breach of the conditions of the license, either by you, or with your connivance and privity, by any person in your employment, it shall be competent to the Deputy Commissioner to impose upon you a fine not exceeding the sum of Rupees 10 for every such breach of such conditions, or, at the option of the Deputy Commissioner to declare the money deposited with him forfeited and to cancel the license and to dispose of it at your risk, and all loss thereby caused shall be made good by you. When the license is cancelled, the amount for the whole period of the lease shall become due at once.

35. The imposition of a fine, or the forfeiture of deposit, or the cancellation of license under the last preceding condition shall not be held to prevent the prosecution of any person for any offence which may be

committed against the provisions of the Madras Abkári Act, 1886, or other law for the time being in force and relating to the Abkári revenue.

36. During the currency of this license the Deputy Commissioner has power to order the closure of your shop or its transfer from the site mentioned in this license to some other locality. Your license shall be liable to be suspended or cancelled for disobedience of the Deputy Commissioner's orders in this respect. It shall also be competent to the Deputy Commissioner to sanction, with the previous approval of the Board of Revenue, the opening of new shops for the sale of toddy.

37. If you shall be convicted on prosecution before a magistrate of any offence against the Madras Abkári Act of 1886, or other law for the time being in force and relating to the Abkári revenue, it shall be lawful for the Deputy Commissioner, Central Division, to declare your license forfeited. If you shall be convicted under the Indian Penal Code, such conviction will render you liable to forfeiture of your license, if the offence of which you are convicted be such, as in the opinion of the Deputy Commissioner, Central Division, renders you unfit to hold it.

38. If it comes to your knowledge that any person employed by you in the drawing or carriage or sale of toddy commits any breach of the Abkári laws, it shall be your duty to report the matter to the Deputy Commissioner, Central Division, and to comply with the directions of the Deputy Commissioner, Central Division, respecting the continued employment of such person. You shall not employ in the carriage or sale of liquor any person convicted under the Indian Penal Code without the permission of the Deputy Commissioner, Central Division, to be obtained in each case.

39. You shall be bound by such additional general rules as may be prescribed under the Abkári laws existing at present, or which may hereafter be enacted, and shall, on requisition by the Deputy Commissioner, Central Division, or other officer duly authorized by him, deliver up your license for amendment or for the issue of a fresh license accordingly.

Dated the day of 189 .

Deputy Commissioner of
Salt and Abkári Revenue,
Central Division.

Head Clerk. *Inspector.*

No.

Counterpart Agreement executed by Independent Toddy Shopkeeper under the Tree-Tax System in the Madras Town Circle.

Having been authorized by the Deputy Commissioner, Central Division, to establish a shop under the tree-tax system for the sale of toddy at , in the Madras Town Circle, from the 1st day of October 189 to the 30th day of September 189 , I, son of residing at , do

for myself, my heirs, my legal representatives and assigns, hereby agree with the said Deputy Commissioner that I will well and truly observe and perform the conditions and stipulations contained in the license, No. , dated the day of 189 , issued to me by the said Deputy Commissioner.

Dated the day of 189

(Signature.)

Sub-Renter's License.

On the application of farmer of the exclusive privilege of selling $\frac{\text{toddy}}{\text{country spirits}}$ n arm in taluk for the year ending I Collector of the District of , under section 22 of the Madras Abkári Act, 1886, do hereby appoint you son of , residing at , as the $\frac{\text{lessee}}{\text{assignee}}$ of the aforesaid privilege within the area specified in the margin and license you to exercise the said privilege from to ibject to the following conditions:—

1. The $\frac{\text{lessor}}{\text{assignor}}$ alone is responsible to Government for the payment of all monies due to Government on account of his farm, and the Government have nothing to do with any terms which may be mutually agreed upon between you and the said $\frac{\text{lessor}}{\text{assignor}}$.

2. Subject to the preceding condition, you shall not do, or omit to do, anything contrary or repugnant to the conditions agreed to by the $\frac{\text{lessor}}{\text{assignor}}$ with Government. A copy of the license containing the said conditions is hereunto annexed.

3. You shall not be entitled to claim from Government compensation for any loss, which you may sustain in consequence of the arrangements entered into by you with the said $\frac{\text{lessor}}{\text{assigno}}$

[Here enter any other conditions by which the renter desires to restrict the privilege of the sub-renter.]

Last condition.—This license may be cancelled or suspended by the Collector—

(*a*) in the event of any breach of the conditions of this license, either by you or by your servants, or by any one acting with your express or implied permission on your behalf;

(*b*) if you should be convicted of any offence against the Madras Abkári Act, 1886, or any other law for the time being in force relating to Abkári Revenue, or of any cognizable and non-bailable offence; or

(*c*) on the requisition in writing of the $\frac{\text{lessor}}{\text{assignor}}$.

Collector.

Order 155, para. 6.]

Hypothecation Deed.

THIS instrument made the day of 189 between (hereinafter called the mortgagors) of the one part and the Right Honourable the Secretary of State for India in Council (hereinafter called the Mortgagee) of the other part WHEREAS by licenses or instruments in writing under the hand of the Collector of the District of and bearing date the day of 189 the said Collector being only authorized under the provision of the Madras Abkári Act 1886 appointed the Mortgagors to manufacture country spirits in the district of and to supply the same for consumption in any of the free supply districts from the day of 189 to the day of 189 subject to the conditions and stipulations in the said licenses contained and to be observed by them the Mortgagors.

AND WHEREAS it was by the said licenses provided amongst other things that any sum deducted by the said Collector under the powers in the said licenses contained from the amounts deposited by the Mortgagors as security for the due performance of the said contract should be replaced by them within 15 days from the date of receipt of notice from the said Collector informing the Mortgagors of such deduction having been made that in case of any breach of the conditions of the licenses either by the Mortgagors or with their connivance and privity by any person in their employment, the said Collector might impose upon them a fine not exceeding the sum of Rs. 50 for every such breach of such conditions and that the Mortgagors should execute engagements to the said Collector agreeing for themselves their legal representatives and assigns to be bound by the conditions and stipulations in the said licenses contained and should hypothecate their distillery buildings machinery apparatus stock of liquor and other things as security for the payment of all sums which might become due to Government by way of duty rents penalties fines or other payments due under the provisions of the said licenses

AND WHEREAS by an instrument in writing or engagement under the hands of the Mortgagors and bearing date the day of 189 the Mortgagors for themselves their heirs legal representatives and assigns agreed with the said Collector that they the Mortgagors would well and truly perform the conditions and stipulations contained in the said licenses respectively

AND WHEREAS by certain other licenses or instruments in writing under the hand of the Collector of and bearing dates respectively the day of 189 and the day of 189 the Mortgagors were licensed to establish private warehouses for the deposit and keeping of spirits without payment or duty at the several places mentioned in the first schedule hereunder written and to remove spirits from the same respectively from 1st April 189 to 31st March 189 subject to the conditions in such last mentioned licenses respectively mentioned including amongst others the condition that beginning from the 1st day 189 until the 1st day of 189 or so long thereafter as the Mortgagors should keep any spirits in the said warehouses respectively they should pay to the Collector of the district in which such warehouses are respectively situated the sum of Rupees or such other sum as the Commissioner of Salt, Abkári and Separate Revenue should from time to time direct under Rule 19 of the rules under the authority of the Madras Abkári Act 1886 and to cover the cost of the Government establishments maintained at the said warehouses respectively.

AND WHEREAS it has been agreed by and between the parties hereto that the several provisoes agreements and stipulations hereinafter contained shall apply not only to the several licenses hereinbefore mentioned but shall apply also to any subsequent license or licenses granted to the Mortgagors immediately upon the determination of any of the licenses hereinbefore mentioned respectively or in renewal thereof respectively and of any further licenses to be granted to the Mortgagors for the same purposes respectively and that these presents shall stand as security for the due performance by the Mortgagors of the terms of all or any such licenses and of the several engagements entered into and to be entered into by the Mortgagors in respect thereof respectively and for the payment by the Mortgagors of all sums which may become due to Government by way of duty rents penalties fines or other payments under the provisions of all or any such licenses.

NOW THESE PRESENTS WITNESS that in pursuance of the said agreement in that behalf and in consideration of the premises they the Mortgagors do hereby for themselves their executors administrators and legal representatives covenant with the Mortgagee his successors and assigns that they the Mortgagors their executors administrators or legal representatives will pay to the Mortgagee his successors or assigns or to the Collector for the time being of the district of or other the officer of the Government of Madras duly authorized in this behalf at the time or respective times when the same respectively shall become due or payable under the provisions of the hereinbefore recited licenses or of any such new licenses so to be granted as aforesaid all and every the sum and sums of money which shall or may from time to time or at any time during the continuance of the said licenses respectively or any of them become payable by the Mortgagors their executors administrators legal representatives or assigns to the said Government by way of duty rents penalties fines or other payments under all or any of the provisions of the said licenses respectively or any of them or otherwise in connection therewith respectively AND THESE PRESENTS ALSO WITNESS that in further pursuance of the said agreement and

in consideration of the premises the Mortgagors do hereby grant convey and assign unto the Mortgagee his successors and assigns ALL and singular the pieces or parcels of land distillery buildings warehouses and premises particularly described in the Second Schedule hereunder written and also all and singular the fixed and moveable machinery implements and utensils stock of liquor and other things now or at any time hereafter during the continuance of this security fixed to or placed upon or used in or about the said lands distillery buildings and premises or any of them or any part thereof respectively all of which machinery implements apparatus and utensils and stock of liquor now fixed to or placed upon or used in or about the said premises are specified in the Third Schedule hereunder written together with all buildings godowns trees commons hedges ditches fences ways waters watercourses liberties privileges easements advantages and appurtenances whatsoever to the said several pieces or parcels of land buildings and premises or any of them in anywise appertaining or heretofore occupied or enjoyed therewith AND ALL the estate right title interest property claim and demand whatsoever of the Mortgagors in to and upon the same premises respectively TO HAVE AND TO HOLD the said pieces or parcels of land distillery buildings warehouses and premises hereby granted conveyed and assigned or expressed so to be unto the Mortgagee his successors and assigns for ever subject to the proviso for redemption hereinafter contained PROVIDED ALWAYS and it is hereby agreed and declared that if the Mortgagors their executors administrators legal representatives or assigns or some or one of them shall duly pay to the Mortgagee his successors or assigns or to the Collector for the time being of the district of or other the officer of the Government of Madras duly authorized in this behalf at the time or respective times when the same shall respectively become due or payable under the provisions of the hereinbefore in part recited licenses or any of them or of such new licenses so to be granted as hereinbefore mentioned or any of them all and every the sum and sums of money which shall or may from time to time or at any time during the continuance of the said licenses respectively become payable by the Mortgagors their executors administrators legal representatives or assigns to the said Government by way of duty rents penalties fines and other payments under all or any of the provisions of the said licenses or any or either of them or otherwise in connection therewith respectively then the Mortgagee his successors or assigns shall at any time after all such payments shall have been made upon the request and at the cost of the Mortgagors their executors administrators legal representatives or assigns re-convey and re-assign the said premises hereinbefore expressed to be hereby granted conveyed and assigned unto the Mortgagors their executors administrators legal representatives or assigns or as they shall direct AND the Mortgagors do hereby for themselves their executors administrators legal representatives and assigns covenant and agree with the Mortgagee his successors and assigns that they the Mortgagors their executors administrators legal representatives or assign will not so long as any money shall remain on the security of these presents pull down or remove the said distillery buildings warehouses fixed or removeable machinery implements apparatus utensils or premises or any of them or any

part thereof without the permission in writing of the Commissioner of Salt Abkári and Separate Revenue for the time being unless in cases where such pulling down or removal shall be rendered necessary by any of the said premises being worn out or injured or in the case of the said liquor except in the ordinary course of business of the Mortgagors as the holders of the said licenses and in such cases shall replace the said premises or articles worn out or injured or removed by others of at least equal value AND it is hereby agreed and declared that any buildings engines machinery implements apparatus or utensils and any liquor or other things which shall be erected or placed or used upon the said premises hereby granted conveyed and assigned or any of them or any part thereof respectively during the continuance of the present security either in substitution for or replacement of or in addition to any buildings engines machinery implements apparatus utensils or liquor or other things now standing or being thereon shall be included in the present security and be subject to the provisions and agreements herein contained. AND it is hereby agreed and declared that it shall be lawful for the Mortgagee his successors and assigns at any time or times hereafter without any further consent on the part of the Mortgagors their executors administrators legal representatives or assigns or of any other person to sell the said premises hereinbefore expressed to be hereby granted conveyed and assigned or for the time being subject to the present security or any part or parts thereof either together or in parcels (and as to the fixed and moveable machinery implements apparatus utensils liquor and other premises of a like nature comprised in the present security either together with the buildings or lands to or upon which the same shall be fixed or stand or be or separately and detached therefrom) and either by public auction or private contract with power upon any such sale to make any stipulations as to title or evidence of title or the removal of any property which may be sold separately or detached from the buildings and land or otherwise which the mortgagee his successors or assigns shall deem proper and also with power to buy in or rescind or vary any contract for sale and to re-sell without being responsible for any loss occasioned thereby and for the purposes aforesaid or any of them to execute and do all such assurances and things as he or they shall think fit. PROVIDED ALWAYS and it is hereby agreed and declared that the Mortgagee his successors or assigns shall not execute the power of sale hereinbefore contained unless and until he or they shall have previously given notice in writing to the Mortgagors their executors administrators legal representatives or assigns requiring them to pay off the monies for the time being owing on the security of these presents or left a notice in writing to that effect upon some part of the said premises hereinbefore expressed to be hereby granted conveyed and assigned and default shall have been made in payment of such monies or some part thereof for three calendar months from the time of giving or leaving such notice and every such notice as aforesaid shall be sufficient though not addressed to any person or persons by name or designation and notwithstanding that the person or any of the persons affected thereby may be unborn unascertained or under disability. PROVIDED ALSO and it is hereby agreed and declared that upon any sale purporting to be made in

pursuance of the aforesaid power in that behalf the purchaser or purchasers shall not be bound to see or inquire whether any of the cases mentioned in the clause or provision lastly hereinbefore contained has happened or whether any such default has been made in payment of any money intended to be hereby secured or whether any money remains on the security of these presents or as to the necessity or expediency of the stipulations subject to which such sale shall have been made or otherwise as to the propriety or regularity of such sale and notwithstanding any impropriety or irregularity whatsoever in any such sale the same shall as far as regards the safety and protection of the purchaser or purchasers be deemed to be within the aforesaid power in that behalf and be valid and effectual accordingly and the remedy of the Mortgagors their executors administrators legal representatives or assigns in respect of any breach of the clause lastly hereinbefore contained or of any impropriety or irregularity whatsoever in any such sale shall be in damages only. AND it is hereby also agreed and declared that upon any such sale as aforesaid the receipt of the Collector for the time being of the district in which the premises sold shall be situated or of any officer of the Government of Madras duly authorized in this behalf for the purchase money of the premises sold shall effectually discharge the purchaser or purchasers therefrom and from being concerned to see to the application or being answerable for any loss or misapplication thereof AND it is hereby further agreed and declared that the Mortgagee his successors or assigns shall by and out of the monies which shall arise from any such sale as aforesaid in the first place reimburse himself or themselves or pay or discharge all the costs and expenses incurred in or about such sale or otherwise in respect of the premises and in the next place apply such monies in or towards satisfaction of the monies for the time being owing on the security of these presents and then pay the surplus (if any) of the said monies which shall arise from such sale unto the Mortgagors their executors administrators legal representatives or assigns. AND it is hereby agreed and declared that the aforesaid power of sale may be exercised by any person or persons who for the time being shall be entitled to receive and give a discharge for the monies owing on the security of these presents. PROVIDED ALSO and it is hereby agreed and declared that the Mortgagee his successors or assigns shall not be answerable or accountable for any involuntary losses which may happen on or about the exercise or execution of the aforesaid power or the trusts thereof or of any of them AND the Mortgagors do hereby for themselves their executors administrators and legal representatives covenant with the Mortgagee his successors and assigns that they the Mortgagors now have power to grant convey and assign all the said premises hereinbefore expressed to be hereby granted conveyed and assigned unto the Mortgagee his successors and assigns AND FURTHER that they the Mortgagors and every person having or claiming any estate right title or interest in or to the said premises or any of them will at all times at the cost until foreclosure or sale of the Mortgagors their executors administrators or legal representatives and afterwards of the person or persons requiring the same execute and do every such assurance and thing for the further or more perfectly assuring all or any of the said premises

unto the Mortgagee his successors and assigns as by him or them shall be reasonably required. IN WITNESS WHEREOF the Mortgagors have hereunto set their respective hands the day and year first above written.

The First Schedule above referred to.

The Second Schedule above referred to.

The Third Schedule above referred to.

Signed by the abovenamed
in the presence of
Signed by the abovenamed
in the presence of

FORM F. L. 1

Wholesale License for the Sale of Foreign Liquor not to be drunk on the premises to licensed dealers only.

I, , Collector * of the district of under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a fee of Rs. 25, the receipt of which is hereby acknowledged, hereby license you,
to vend foreign liquors at
in the district of during the official year ending 31st March 189 , and to grant permits for the transit within the said district of such quantities thereof as may have been sold by you, subject to the following conditions and stipulations to be observed by you, the said
viz. :—

1. You shall sell liquor under this license to licensed foreign liquor dealers only.

2. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or toddy or any liquor saleable in country liquor shops of the district, unless you also hold a separate license or licenses in respect of such excepted liquors.

3. You shall not sell any liquor at any one time to any dealer in liquor in a quantity less than two Imperial gallons, or one dozen reputed quart bottles or two dozen reputed pint bottles of each kind of liquor sold by you. ‡

* In Madras and in the Saidapet taluk of the Chingleput district for the word "Collector" wherever it occurs in this license, substitute "Deputy Commissioner of Salt and Abkári Revenue, Central Division."

† Here enter the place of sale, specifying the door number of the street or other particulars, so that the exact place may be identified.

‡ The licensee will have the privilege of issuing to licensed dealers only samples of liquor in quantities not exceeding one pint.

4. You shall not permit any person to consume on your premises any of the liquor sold by you under this license, nor shall you allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

5. You shall not sell or give any liquor to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some persons duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

6. You shall keep accounts showing the quantity of liquor obtained by you for sale, the source whence it has been obtained, the quantity sold and the dealer in liquor to whom sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Abkári revenue, and shall be open to the inspection of the Collector or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import beer manufactured in Bangalore, you shall regularly file the permits covering the consignments and shall produce them for inspection along with your accounts. No consignment of such beer shall be open by you until it has been verified by an officer deputed for the purpose by the Collector.

7. The term foreign liquor in this license includes all wines, spirits and beer imported into British India from foreign countries by sea or land; all coloured or flavoured spirits manufactured in the country and excised at the rates of duty prescribed in Act VIII of 1894, as amended by Act XVI of 1894, or other law for the time being in force and relating to the levy of duties of customs on imported spirits; and all beer manufactured in the country or imported in a condensed form and afterwards converted into potable beer and duly excised; and excludes ordinary arrack and *plain* rectified spirits manufactured in the country and excised at the rates of import duty applicable to foreign liquors imported.

8. You shall not rectify spirits either by purifying, colouring, flavouring, or mixing any material therewith.

9. Every bottle, jar and cask containing spirits manufactured and flavoured, or coloured, blended, or compounded in India and received into, or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "Spirit manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

10. You shall, in the event of your also holding any other license for the vend of liquor, keep separate correct accounts of sales under each license.

11. You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

12. In case of any breach of the conditions of the license either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 50 for every such breach of such conditions or cancel the license forthwith.

13. This license shall also be revocable by the Collector, with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case, a proportionate part of the fee paid by you will be refunded to you.

Dated day of 189

Collector.

FORM F. L. 2.

Retail License for the Sale of Foreign Liquors not to be consumed on the premises.

, Collector * of the district of
under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a fee of Rs. † the receipt of ‡ which is hereby acknowledged, hereby license you,
to vend foreign liquors at §
in the district of
during the official year ending 31st March 189 . and to grant permits for the transit within the said district of such quantities thereof as may have been sold by you subject to the following conditions and stipulations to be observed by you, the said
viz. :—

1. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or toddy or any liquor saleable in country liquor shops of the district, unless you also hold a separate license or licenses in respect of such excepted liquors.

2. You shall not permit any person to consume on your premises any of the liquor sold by you under this license.

3. You shall not keep beer on tap for sale in your premises.

4. You shall not sell liquor to any person in any quantity less than one reputed pint of each kind of liquor sold by you, at a time, or otherwise

* In Madras and the Saidapet taluk of the Chingleput district, for the word "Collector," wherever it occurs in this license, substitute "Deputy Commissioner of Salt and Abkári Revenue, Central Division."

† Here enter the amount of fee leviable on the license—Rs. 100 in Madras Town, Ootacamund and Coonoor and Rs. 50 elsewhere.

‡ Here enter "the whole of" or "one half of" as the case may be.

§ Here enter the place of sale, specifying the door number of the street or other particulars, so that the exact place may be identified.

than in sealed bottles; nor shall you possess liquor in bottles of less than a reputed pint in capacity. You shall not allow persons suffering from leprosy or other contagious diseases to conduct sales in your shop.

5. You shall not sell or give any liquor to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

6. You shall keep accounts showing the quantity of liquor obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of Abkári revenue, and shall be open to the inspection of the Collector or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import beer manufactured in Bangalore, you shall regularly file the permits covering the consignments and shall produce them for inspection along with your accounts. No consignment of such beer shall be opened by you until it has been verified by an officer deputed for the purpose by the Collector.

7. You shall place this license in a conspicuous place in your shop, and put in front of your shop a signboard on which the name of the liquor or liquors sold by you shall be legibly inscribed in English and in the vernacular language of the locality.

8. You shall not rectify spirits by purifying, colouring, flavouring or mixing any material therewith.

9. Every bottle, jar and cask containing spirits manufactured and flavoured, or coloured, blended or compounded in India and received into, or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "Spirit manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

10. You shall, in the event of your also holding any other license for the vend of liquor, keep separate correct accounts of sales under each license.

11. You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

12. The term foreign liquor in this license includes all wines, spirits and beer imported into British India from foreign countries by sea or land; all coloured or flavoured spirits manufactured in the country and excised at the rates of duty prescribed in Act VIII of 1894, as amended by Act XVI of 1894, or other law for the time being in force and relating to the levy of duties of customs on imported spirits: and all beer manufactured in the country or imported in a condensed form and afterwards converted into

potable beer and duly excised, and excludes ordinary arrack and plain rectified spirits manufactured in the country and excised at the rates of import duty applicable to foreign liquors imported. *

13. You shall not sell any liquor or keep your shop open between the hours of 9 P.M. † and 6 A.M., except with the permission of the Collector.

14. You shall pay the fee due for this license in two instalments, one half when the license is issued, and the other half on October 1, 189 ‡

15. In case of any breach of the conditions of the license either by you or with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 50 for every such breach of such conditions or cancel the license forthwith.

16. This license shall also be revocable by the Collector with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189 .

Collector.

FORM F.-L. 3.

Retail License for the Sale of Beer not to be drunk on the premises.

N.B.—This form is applicable to licenses to be issued in selected localities for the sale of beer only.

I, Collector of the district of under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a fee of Rs. 50, the receipt of which is hereby acknowledged, hereby license you,

to vend beer at §

in the district of , during the official year ending 31st March 189 , and to grant permits for the transit within the said district of such quantities thereof as may have been sold by you not exceeding fifty gallons at a time, subject to the following conditions and stipulations to be observed by you, the said viz.:

1. The privilege conferred by this license extends to the sale of beer only.

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* On the Nilgiris, however, such of the licensees as hold tavern licenses also shall not have the privilege of selling beer under this license. In Madras the term foreign liquor in this license excludes Colombo arrack.

† "10 P.M." should be inserted in licenses issued in Madras Town.

‡ This condition is applicable only to Madras Town, Ootacamund and Coonoor. In case the license is taken out after 1st October, the whole of the fee due shall be payable when the license is issued.

§ Here enter the place of sale, specifying the door number of the street or other particulars, so that the exact place may be identified.

2. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty or toddy or any liquor other than beer saleable in country or foreign liquor shops of the $\frac{\text{district}}{\text{town}}$ unless you also hold a separate license or licenses in respect of such excepted liquors.

3. You shall not permit any person to consume on your premises any of the beer sold by you under this license. Nor shall you allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

4. You shall not sell beer to any person in any quantity less than one reputed pint at a time or otherwise than in sealed bottles; nor shall you possess beer in bottles of less than a reputed pint in capacity.

5. You shall not sell or give any beer to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower or to any member of the families of any of the aforesaid persons without the permission in writing of the commanding officer, or of some person duly authorised by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

6. You shall keep accounts showing the quantity of beer obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Abkári Revenue and shall be open to the inspection of the Collector or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import beer manufactured in Bangalore, you shall regularly file the permit covering the consignments and shall produce them for inspection along with your accounts. No consignment of such beer shall be opened by you until it has been verified by an officer deputed for the purpose by the Collector.

7. You shall place this license in a conspicuous place in your shop and put in front of your shop a signboard on which the name of the liquor sold by you shall be legibly inscribed in English and in the vernacular language of the locality.

8. Every bottle, jar and cask, containing beer manufactured, or converted into potable beer in India received into, or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "Beer manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

9. Under the term beer in this license are included all kinds of beer imported into British India from foreign countries by sea or land; as well as all kinds of beer manufactured in the country or imported in a condensed form and afterwards converted into potable beer and duly excised.

10. You shall not sell any beer or keep the premises open between the hours of 9 P.M.* and 6 A.M., except with the permission of the Collector.

11. You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

12. In case of any breach of the conditions of the license either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 10 for every such breach of such conditions or cancel the license forthwith.

13. This license shall also be revocable by the Collector with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case, a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189 .

Collector.

FORM F. L. 4.

Tavern License for the Sale of Foreign Liquors to be consumed on the premises.

I, Collector † of the district of under the provisions of the Madras Abkári Act, 1886, do hereby license you, to vend foreign liquors in your tavern situated in house No of street, in the town of in the district of , during the official year ending 31st March 189 , subject to the following conditions and stipulations to be observed by you, the said viz.

1. You shall not at a time sell to any one person more than one reputed quart of liquor for removal from the premises, nor shall you sell any liquor to a child under twelve years of age for consumption on the premises.‡

2. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or toddy or any liquor saleable in country liquor shops of the district, unless you also hold a separate license or licenses in respect of such excepted liquors.

You shall not sell or give any liquor to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to

* 10 P.M." should be inserted in licenses issued in Madras Town.

In the case of Madras Town Circle for the word "Collector," wherever it occurs in this license, read "Deputy Commissioner of Salt and Abkári Revenue, Central Division."

† Such premises shall not have doorways opening into other than licensed streets.

any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

4. You shall not permit drunkenness or gambling or disorderly conduct in your premises, nor allow disorderly persons of either sex to remain therein. You shall also not allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

5. You shall not sell any liquor or keep your premises open between the hours of 9 P.M.* and 6 A.M., unless under authority specially granted by an officer duly empowered in that behalf.

6. You shall give immediate information to the nearest police officer of any suspected person who may resort to your tavern, and of every irregularity committed thereat tending to disturb the public peace.

7. You shall place this license in a conspicuous place in your tavern and you shall put up in front of your place of business a signboard on which the name of the liquor or liquors sold by you shall be legibly inscribed in English and in the local vernacular. You shall not locate your tavern in the same building with an opium or genja shop.

8. You shall keep accounts showing the quantity of liquor obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Abkári revenue, and shall be open to the inspection of the Collector or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import for sale in your tavern beer manufactured in Bangalore, you shall regularly file the permits covering the consignments and shall produce them for inspection along with your accounts. No consignment of such beer shall be opened by you until it has been verified by an officer deputed for the purpose by the Collector.

9. You shall not rectify spirits by purifying, colouring, flavouring or mixing any material therewith.

10. Every bottle, jar and cask containing spirits manufactured and flavoured, or coloured, blended, or compounded in India and received into, or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "Spirit manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

11. You shall, in the event of your also holding any other license for the vend of liquor, keep separate correct accounts of sales under each license.

12. The term foreign liquor in this license includes all wines, spirits and beer imported into British India from foreign countries by sea or land; all coloured or flavoured spirits manufactured in the country and excised at the rates of duty prescribed in Act VIII of 1894, as amended by Act

* "10 P.M." should be inserted in licenses issued in Madras Town.

XVI of 1894, or other law for the time being in force and relating to the levy of duties of customs on imported spirits; and all beer manufactured in the country or imported in a condensed form and afterwards converted into potable beer and duly excised, and excludes ordinary arrack and plain rectified spirits manufactured in the country and excised at the rates of import duty applicable to foreign liquors imported.*

13. You shall pay the fee due for this license in the following instalments:—

If it does not exceed Rs. 50—*at the time of taking out the license.*

If it exceeds Rs. 50 and be Rs. 600 or below— Rs.

At the time of taking out the license ..

On the first day of the month of July 189

" " October.

" December.

If it exceeds Rs. 600

At the time of taking out the license

On the first day of every subsequent month ..

14. You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

15. In case of any breach of the conditions of the license, either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 50 for every such breach of such conditions or cancel the license forthwith.

16. This license shall also be revocable by the Collector with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189

Collector.

FORM F. L. 5.

Tavern License for the Sale of Beer to be consumed on the premises.

I ollector of the district of under the provisions of the Madras Abkári Act, 1886, do hereby license you, to vend beer in your tavern situated in house No. of street, in the town of in the district of , during

* Tavern-keepers on the Nilgiris will not have the privilege of vending beer of any description. In Madras, the privilege of selling Colombo arrack for removal from the premises in quantities exceeding one quart is restricted to tavern licensees who have taken out special licenses on payment of Rs. 100 each.

the official year ending 31st March 189 , subject to the following conditions and stipulations to be observed by you, the said , viz. :—

1. The privilege conferred by this license extends to the sale of beer only.

2. You shall not at a time sell to any one person more than one reputed pint of beer for removal from the premises, unless you also hold a separate retail license for the sale of beer; nor shall you sell any beer to a child under twelve years of age for consumption on the premises.

3. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or toddy or any liquor other than beer saleable in country or foreign liquor shops, unless you also hold a separate license or licenses in respect of such excepted liquors.

4. You shall not sell or give any beer to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Akbári officer or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

5. You shall not permit drunkenness or gambling or disorderly conduct in your premises, nor allow disorderly persons of either sex to remain therein. You shall also not allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

6. You shall not sell any beer or keep the premises open between the hours of 9 P.M. and 6 A.M., unless under authority specially granted by an officer duly empowered in that behalf.

7. You shall give immediate information to the nearest police officer of any suspected person who may resort to your tavern, and of every irregularity committed there at, tending to disturb the public peace.

8. You shall place this license in a conspicuous place in your tavern, and you shall put up in front of your place of business a signboard on which the name of the liquor or liquors sold by you shall be legibly inscribed in English and in the local vernacular. You shall not locate your tavern in the same building with an opium or ganja shop.

9. You shall keep accounts showing the quantity of beer obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Akbári revenue, and shall be open to the inspection of the Collector or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import beer manufactured in Bangalore, you shall regularly file the permits covering the

consignments, and shall produce them for inspection along with your accounts. No consignment of such beer shall be opened by you until it has been verified by an officer deputed for the purpose by the Collector.

10. You shall, in the event of your also holding any other license for the vend of liquor, keep separate accounts of sales under each license.

11. Every bottle, jar and cask containing beer manufactured or converted into potable beer in India received into or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "Beer manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

12. Under the term beer in this license are included all kinds of beer imported into British India from foreign countries by sea or land, as well as that manufactured in the country or imported in a condensed form and afterwards converted into potable beer and duly excised.

13. You shall pay the fee due for this license in the following instalments :—

If it does not exceed Rs. 50—*at the time of taking out the license.*

If it exceeds Rs. 50 and be Rs. 600 or below— RS.

At the time of taking out the license
On the first day of the month of July 189
October ,,
December ,,

If it exceeds Rs. 600—

At the time of taking out the license
On the first day of every subsequent month

14. You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

15. In case of any breach of the conditions of the license, either by you, or with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 50 for every such breach of such conditions or cancel the license forthwith.

16. This license shall also be revocable by the Collector, with the sanction of the Board of Revenue or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case, a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189

Collector.

N.B.—This form is applicable to licenses to be issued in selected localities for the sale of beer only.

FORM F. L. 6.

Hotel License for the supply of Foreign Liquors to residents in Hotels and Boarding Houses:

I, , Collector * of the district of under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a fee of Rs. † the receipt of ‡ of which is hereby acknowledged, hereby license you, to vend foreign liquors at your $\frac{\text{Hotel}}{\text{Boarding House}}$ situated in house No. of treet, in the town of in the district of during the official year ending 31st March 189 , subject to the following conditions and stipulations to be observed by you, the said viz. :—

1. You shall not sell any liquor under this license otherwise than to residents in your $\frac{\text{Hotel}}{\text{Boarding House}}$ for their own use or for that of their guest or to casual visitors requiring liquor with the meal or meals supplied to them.§

2. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or toddy or any liquor saleable in country liquor shops of the district, unless you also hold a separate license or licenses in respect of such excepted liquors.

3. You shall not sell or give any liquor to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

4. You shall keep accounts showing the quantity of liquor obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the

* In Madras and in the Saidapet taluk of the Chingleput district, for the word "Collector" wherever it occurs in this license, substitute "Deputy Commissioner of Salt and Abkári Revenue, Central Division."

† The annual license fee will be Rs. 100 or Rs. 75 in Madras town, Rs. 100 or Rs. 50 in the Nilgiri district, and Rs. 50 or Rs. 25 in the rest of the Presidency, as may in each case be determined by the Collector.

‡ Here insert "one-half" or "the whole" as the case may be.

§ In Madras, if the licensee is desirous of setting up and maintaining in his hotel a "bar" or "bars," he will, on payment of a fee of Rs. 25 *per mensem* for each bar, be granted a separate license, which will cover the sale of foreign liquor except Colombo arrack under the same conditions and to the same extent as the tavern license, with the exception that the maximum limit of sale for removal from the premises will be one pint.

Board of Revenue or the officer having the chief control of the Abkári revenue, and shall be open to the inspection of the Collector or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector: and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import beer manufactured in Bangalore, you shall regularly file the permits covering the consignments and shall produce them for inspection along with your accounts. No consignment of such beer shall be opened by you until it has been verified by an officer deputed for the purpose by the Collector.

5. You shall not permit drunkenness or gambling or disorderly conduct in your premises, nor allow disorderly persons of either sex to remain therein, nor allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

6. You shall not rectify spirits by purifying, colouring, flavouring or mixing any material therewith.

7. Every bottle, jar and cask containing spirits manufactured and flavoured, or coloured, blended, or compounded in India and received into, or kept for sale in your $\frac{\text{Hotel}}{\text{Boarding House}}$ shall be conspicuously labelled or branded with the words "Spirit manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

8. You shall, in the event of your also holding any other license for the vend of liquor, keep separate correct accounts of sales under each license.

9. The term foreign liquor in this license includes all wines, spirits and beer imported into British India from foreign countries by sea or land; all coloured or flavoured spirits manufactured in the country and excised at the rates of duty prescribed in Act VIII of 1894, as amended by Act XVI of 1894, or other law for the time being in force and relating to the levy of duties of customs on imported spirits; and all beer manufactured in the country or imported in a condensed form and afterwards converted into potable beer and duly excised; and excludes ordinary arrack and plain rectified spirits manufactured in the country and excised at the rates of import duty applicable to foreign liquors imported.

10. The fee on this license, if it exceeds Rs. 50, shall be payable in two instalments, one-half when the license is issued, and the other half on 1st October.*

11 You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

12. In case of any breach of the conditions of the license, either by you, or, with your connivance and privity, by any person in your employment,

* If it does not exceed Rs. 50, or if it exceeds that amount, and the license is taken out after 1st October, the whole of the fee due shall be payable when the license is issued.

it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 50 for every such breach of such conditions or cancel the license forthwith.

13. This license shall also be revocable by the Collector with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189

Collector.

FORM F. L. 7.

Bar License for the Sale of Foreign Liquors to be consumed on the premises.

I, J. H. Merriman, Esq., Deputy Commissioner of Salt and Abkári Revenue, Central Division, under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a monthly fee of Rs. 25, do hereby license you, to vend foreign liquors in your bar situated in house No. , of street, Madras, during the official year ending 31st March 189 , subject to the following conditions and stipulations to be observed by you, the said viz.:—

1. You shall not at a time sell to any one person more than one reputed pint of liquor for removal from the premises, nor shall you sell any liquor to a child under twelve years of age for consumption on the premises.*

2. You shall not keep or sell to any one Colombo arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or ordinary arrack or toddy or any liquor saleable in country liquor shops of the district, unless you also hold a separate license or licenses in respect of such excepted liquors.

3. You shall not sell or give any liquor to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower or to any member of the families of any of the aforesaid persons without the permission in, writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

4. You shall not permit drunkenness or gambling or disorderly conduct on your premises, nor allow disorderly persons of either sex to remain

*Such premises shall not have doorways opening into other than licensed streets.

therein. You shall also not allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

5. You shall not sell any liquor or keep your premises open between the hours of 10 P.M. and 6 A.M. unless under authority specially granted by an officer duly empowered in that behalf.

6. You shall give immediate information to the nearest police officer of any suspected person who may resort to your bar, and of every irregularity committed thereat tending to disturb the public peace.

You shall place this license in a conspicuous place in your bar and you shall put up in front of your place of business a signboard on which the name of the liquor or liquors sold by you shall be legibly inscribed in English and in the local vernacular.

8. You shall keep accounts showing the quantity of liquor obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Abkári revenue, and shall be open to the inspection of the Deputy Commissioner, Central Division, or any subordinate whom he may depute for that purpose or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import beer manufactured in Bangalore, you shall regularly file the permits covering the consignments and shall produce them for inspection along with your accounts. No consignment of such beer shall be opened by you until it has been received by an officer deputed for the purpose by the Deputy Commissioner.

9. You shall not rectify spirits by purifying, colouring, flavouring or mixing any material therewith.

10. Every bottle, jar and cask containing spirits manufactured and flavoured or coloured, blended, or compounded in India and received into, or kept for sale in, your shop or depôt, shall be conspicuously labelled or branded with the words "Spirit manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore.

11. You shall, in the event of your also holding any other license for the vend of liquor, keep separate correct accounts of sales under each license.

12. The term foreign liquor in this license includes all wines, spirits (except Colombo arrack which cannot be sold under this license) and beer imported into British India from foreign countries by sea or land; all coloured or flavoured spirits manufactured in the country and excised at the rates of duty prescribed in Act VII of 1894 as amended by Act XVI of 1894, or other law for the time being in force and relating to the levy of duties of customs on imported spirits; and all beer manufactured in the country or imported in a condensed form and afterwards converted into potable beer and duly excised, and excludes ordinary arrack and plain

rectified spirits manufactured in the country and excised at the rates of import duty applicable to foreign liquors imported.

13. You shall pay the fee due for this license in the following instalments:—

	RS.
On the date of taking out the license	25
On the first day of every succeeding month	25

14. You shall not sell, transfer or sub-rent your privilege to any other person without the Deputy Commissioner's permission.

15. In case of any breach of the conditions of the license, either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Deputy Commissioner, Central Division, to impose upon you a fine not exceeding Rs. 50 for every such breach of such conditions or cancel the license forthwith.

16. This license shall also be revocable by the Deputy Commissioner, Central Division, with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189 .

Deputy Commissioner of Salt and Abkári Revenue, Central Division.

Inspector.

Head Clerk.

FORM F. L. 8.

License for the Sale of Foreign Liquors in Railway and other Refreshment Rooms maintained for the use of passengers by Railway and Dâk lines only.

I, , Collector * of the district of under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a fee of Rs. 50, the receipt of which is hereby acknowledged, hereby license you,

to vend foreign liquors at the refreshment room situated , in the district of during the

* In Madras and in Saidapet taluk of the Chingleput district, for the word "Collector," wherever it occurs in this license, substitute "Deputy Commissioner of Salt and Abkári Revenue, Central Division."

official year ending 31st March 189 . and to grant permits for the transit within the said district of such quantities thereof as may have been sold by you, subject to the following conditions and stipulations to be observed by you, the said viz.

1. You shall not sell any liquor under this license otherwise than to *bonâ fide* passengers by the *
or to persons served with eatables in the rooms.

2. You shall not sell at any one time to any one passenger for removal from the premises more than two reputed quarts or four reputed pints of each kind of liquor sold by you.

3. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or toddy or any liquor saleable in country liquor shops of the districts unless you also hold a separate license or licenses in respect of such excepted liquors.

4. You shall not sell or give any liquor to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

5. You shall not permit drunkenness or gambling or disorderly conduct on your premises, nor allow disorderly persons of either sex to remain therein, nor allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

6. You shall keep accounts showing the quantity of liquor obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Abkári revenue, and shall be open to the inspection of the Collector or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import beer manufactured in Bangalore, you shall regularly file the permits covering the consignments and shall produce them for inspection along with your accounts. No consignment of such beer shall be opened by you until it has been verified by an officer deputed for the purpose by the Collector.

7. You shall not rectify spirits either by purifying, colouring, flavouring, or mixing any material therewith.

8. Every bottle, jar and cask containing spirits manufactured and flavoured or coloured, blended or compounded in India and received into

* Here fill in the name of the railway company or dâk line as the case may be.

or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "Spirit manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

9. You shall, in the event of your also holding any other license for the vend of liquor, keep separate correct accounts of sales under each license.

10. The term foreign liquor in this license includes all wines, spirits and beer imported into British India from foreign countries by sea or land; all coloured or flavoured spirits manufactured in the country and excised at the rates of duty prescribed in Act VIII 1894, as amended by Act XVI of 1894, or other law for the time being in force and relating to the levy of duties of customs on imported spirits; and all beer manufactured in the country or imported in a condensed form and afterwards converted into potable beer and duly excised, and excludes ordinary arrack and plain rectified spirits manufactured in the country and excised at the rates of import duty applicable to foreign liquors imported.

11. You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

12. In case of any breach of the conditions of the license either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 10 for every such breach of such conditions or cancel the license forthwith.

13. This license shall also be revocable by the Collector with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189

Collector.

FORM F. L. 9.

License for the sale of Foreign Liquors in Refreshment Rooms in which the sale of liquor is ordinarily combined with the supply of meals or refreshments prepared and served in the European manner.

I, Collector * of the district of under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a fee of Rs. † the receipt of

* In Madras and in the Saidapet taluk of the Chingleput district, for the word "Collector" wherever it occurs in this license, substitute "Deputy Commissioner of Salt and Abkári Revenue, Central Division."

† Rs. 500 in Madras and Rs. 75 in the mofussil.

of which is hereby acknowledged, hereby license you,
, to vend foreign liquors at your refreshment room situated in house No. , of street, in the town of in the district of during the official year ending 31st March 189 , subject to the following conditions and stipulations to be observed by you, the said , viz. :—

1. You shall not permit any person to remove from your premises any liquor sold under this license.*

2. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or toddy or any liquor saleable in country liquor shops of the district, unless you also hold a separate license or licenses in respect of such excepted liquors.

3. You shall not sell or give any liquor to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

4. You shall not permit drunkenness or gambling or disorderly conduct in your premises, nor allow disorderly persons of either sex to remain therein, nor allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

5. You shall keep accounts showing the quantity of liquor obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Abkári revenue, and shall be open to the inspection of the Collector or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import beer manufactured in Bangalore, you shall regularly file the permits covering the consignments, and shall produce them for inspection along with your accounts. No consignment of such beer shall be opened by you until it has been verified by an officer deputed for the purpose by the Collector.

6. You shall place this license in a conspicuous place in your place of business.

* No license in this form should be issued unless the premises are not only approved by the Collector, but are also of the monthly rent value of Rs. 50 in Madras, Ootacamund and Coonoor Municipalities and of Rs. 25 in the rest of the Presidency.

7. You shall not rectify spirits by purifying, colouring, flavouring, or mixing any materials therewith.

8. Every bottle, jar and cask containing spirits manufactured and flavoured, or coloured, blended, or compounded in India and received into, or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "Spirit manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

9. You shall, in the event of your also holding any other license for the vend of liquors keep separate correct accounts of sales under each license.

10. The term foreign liquor in this license includes all wines, spirits and beer imported into British India from foreign countries by sea or land; all coloured or flavoured spirits manufactured in the country and excised at the rates of duty prescribed in Act VIII of 1894, as amended by Act XVI of 1894, or other law for the time being in force and relating to the levy of duties of customs on imported spirits, and all beer manufactured in the country or imported in a condensed form and afterwards converted into potable beer and duly excised, and excludes ordinary arrack and plain rectified spirits manufactured in the country and excised at the rates of import duty applicable to foreign liquors imported.

11. You shall not sell any liquor between the hours of 9 P.M. * and 6 A.M.

12. The fee for this license shall be payable in two instalments; one-half when the license is issued and, the other half on 1st October.†

13. You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

14. In case of any breach of the conditions of the licenses either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 50 for every such breach of such conditions or cancel the license forthwith.

15. This license shall also be revocable by the Collector forthwith if he shall be of opinion that you permit the sale of liquor to persons who have not partaken of meals or eatable refreshments on your premises to such an extent that you may be fairly required to take out a tavern license; and shall be revocable, with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case, a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 18

Collector.

* In Madras Town, 11 P.M. should be the ordinary hour of closing.

† If the license is taken out after 1st October, the whole of the fee due shall be payable when the license is issued.

FORM T. 17. 10.

Occasional License for the Sale of Foreign Liquors to be drunk on the premises.

I, , Collector * of the district of under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a fee of Rs. the receipt of which is hereby acknowledged, hereby license you, to vend foreign liquors at from the day of, 189 , to the day of 189 , both days inclusive, subject to the following conditions and stipulations to be observed by you, the said viz. :—

1. You shall not permit any liquor sold under this license to be removed from the premises, nor shall you sell any liquor to a child under twelve years of age for consumption on the premises.

2. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or toddy or any liquor saleable in country liquor shops of the district, unless you also hold a separate license or licenses in respect of such excepted liquors.

3. You shall not sell or give any liquor to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

4. You shall not permit drunkenness or gambling or disorderly conduct in your premises, nor allow disorderly persons of either sex to remain therein nor allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

5. You shall not sell any liquors or keep the premises open between the hours of † P.M. and † A.M.

6. You shall keep accounts showing the quantity of liquor obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Abkári revenue and shall be open to the inspection of the Collector or any subordinate whom he

* In Madras and in the Saidapet taluk of the Chingleput district, for the word 'Collector" wherever it occurs in this license, substitute "Deputy Commissioner of Salt and Abkári Revenue, Central Division."

† To be filled in by the Collector.

may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe. Should you import beer manufactured in Bangalore, you shall regularly fill the permits covering the consignments and shall produce them for inspection along with your accounts. No consignment of such beer shall be opened by you until it has been verified by an officer deputed for the purpose by the Collector.

7. You shall not rectify spirits by purifying, colouring, flavouring, or mixing any material therewith.

8. Every bottle, jar and cask containing spirits manufactured and flavoured or coloured, blended or compounded in India, and received into or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "Spirit manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

9. You shall, in the event of your also holding any other license for the vend of liquor, keep separate correct accounts of sales under each license.

10. The term foreign liquor in this license includes all wines, spirits and beer imported into British India from foreign countries by sea or land; all coloured or flavoured spirits manufactured in the country and excised at the rates of duty prescribed in Act VIII of 1894, as amended by Act XVI of 1894, or other law for the time being in force and relating to the levy of duties of customs on imported spirits; and all beer* manufactured in the country or imported in a condensed form and afterwards converted into potable beer and duly excised; and excludes ordinary arrack and plain rectified spirits manufactured in the country and excised at the rates of import duty applicable to foreign liquors imported.

11. You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

12. In case of any breach of the conditions of the license, either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 10 for every such breach of such conditions or cancel the license forthwith.

Dated the day of 189

Collector.

* In the Nilgiri district the sale of country brewed beer will not be allowed in shops licensed to sell all kinds of foreign liquor and will be restricted to those licensed for the sale of beer only.

NOTE.—Licenses of this kind, having effect for periods not exceeding ten days at one time, may be granted by Collectors at their discretion at such fees not exceeding Rs. 100 on each occasion as they may determine. Special licenses for longer periods will be granted under the orders of the Board of Revenue on such terms and conditions and for such periods as the Board may on each occasion determine.

FORM F. L. 11

License granted to Auctioneers for the Sale of Foreign Liquors.

I, Collector * of the district of

under the provisions of the Madras Abkári Act, 1886, in consideration of, the payment of a fee of Rs. 5, the receipt of which is hereby acknowledged, hereby license you,

to sell foreign liquors by auction at your premises in

and at any private residences in the town of

at which you may hold auction sales during the official year ending 31st March'189 and to grant permits for the transit within the said town of such quantities thereof not exceeding fifty gallons at a time as may have been sold by you, subject to the following conditions and stipulations to be observed by you, the said

viz. :—

You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty, or toddy or any liquor saleable in country liquor shops of the town, unless you also hold a separate license or licenses in respect of such excepted liquors.

2. You shall not sell any liquor at any one time to any one person in a quantity less than two gallons, or than twelve reputed quarts, or than twenty-four reputed pints of each kind of liquor sold by you, but this restriction is not to be held to apply to the sale of *bonâ fide* samples in quantities not exceeding one reputed quart of the liquor about to be put up to auction, nor to the sale of lots in smaller quantities than the limit herein prescribed in the case of portions of trade consignments which are ullaged or otherwise unmerchantable and in the case of auction sales of the property of private persons and estates.

3. You shall not permit any person to consume on your premises any of the liquor sold by you under this license, except *bonâ fide* sample bottles of liquor opened at the time of auction for intending purchasers to taste nor shall you allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

4. You shall not sell or give any liquor to any European non-commissioned officer, or private or soldier, or to any European or Eurasian camp-follower, or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or of some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police; nor to any child under twelve years of age.

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* In Madras and in the Saidápet taluk of the Chingleput district, for the word "Collector" wherever it occurs in this license, substitute "Deputy Commissioner of Salt and Abkári Revenue, Central Division."

5. You shall keep accounts showing the quantity of liquor obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Abkári revenue, and shall be open to the inspection of the Collector or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector; and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe.

6. The term foreign liquor in this license includes all wines, spirits and beer imported into British India from foreign countries by sea or land; all coloured or flavoured spirits manufactured in the country and excised at the rates of duty prescribed in Act VIII of 1894, as amended by Act XVI of 1894, or other law for the time being in force and relating to the levy of duties of customs on imported spirits; and all beer manufactured in the country or imported in a condensed form and converted into potable beer and duly excised, and excludes ordinary arrack and plain rectified spirits manufactured in the country and excised at the rates of import duty applicable to foreign liquors imported.

7. You shall not rectify spirits by purifying, colouring, flavouring, or mixing any material therewith.

8. Every bottle, jar and cask containing spirits manufactured and flavoured, or coloured, blended or compounded in India and received into, or kept for sale in your shop or depôt, shall be conspicuously labelled or branded with the words "Spirit manufactured in India." All receptacles containing beer manufactured in Bangalore shall be similarly labelled or branded with the words "Beer manufactured in Bangalore."

9. You shall, in the event of your also holding any other license for the vend of liquor, keep separate accounts of sales under each license.

10. In case of any breach of the conditions of the license, either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Collector to impose upon you a fine not exceeding Rs. 10 for every such breach of such conditions, or cancel the license forthwith.

11. You shall not sell, transfer or sub-rent your privilege to any other person without the Collector's permission.

12. This license shall also be revocable by the Collector with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case, a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189

Collector.

FORM F. L. 12.

Retail License for the Sale of Colombo Arrack not to be drunk on the premises.

I, J. H. Merriman, Esquire, Deputy Commissioner of Salt and Abkári Revenue, Central Division, under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a fee of Rs. 100, the receipt of the $\frac{\text{whole}}{\text{one-half}}$ of which is hereby acknowledged, hereby license you , to vend Colombo arrack at No. during the official year ending 31st March 189 , and to grant permits for the transit within the said district of such quantities thereof as may have been sold by you not exceeding fifty gallons at a time, subject to the following conditions and stipulations to be observed by you, the said , viz.:—

1. The privilege conferred by this license extends to the sale of Colombo arrack only.

2. You shall not keep or sell to any one ordinary arrack or plain rectified spirits manufactured in British India and excised at the tariff rate of duty or toddy or any liquor other than Colombo arrack, saleable in country or foreign liquor shops of the town unless you also hold a separate license or licenses in respect of such excepted liquors.

3. You shall not permit any persons to consume on your premises any of the Colombo arrack sold by you under this license. Nor shall you allow persons suffering from leprosy or other contagious diseases to conduct sales therein.

4. You shall not sell Colombo arrack to any person in any quantity not exceeding one reputed pint at a time or otherwise than in sealed bottles.

5. You shall not sell or give any Colombo arrack to any European non-commissioned officer or private or soldier, or to any European or Eurasian camp-follower or to any member of the families of any of the aforesaid persons without the permission, in writing, of the commanding officer, or some person duly authorized by him in that behalf; nor to any sailor; nor to any sepoy, member of the police force, Salt and Abkári officer, or servant of a railway company whilst on duty; nor to any European vagrant under escort of the police.

6. You shall keep accounts showing the quantity of Colombo arrack obtained by you for sale, the source whence it has been obtained, and the quantity sold. Such accounts shall be in such form as may be prescribed by the Board of Revenue or the officer having the chief control of the Abkári revenue and shall be open to the inspection of the Deputy Commissioner, Central Division, or any subordinate whom he may depute for that purpose, or of any Abkári officer of not lower rank than Sub-Inspector;

* Here enter the place of sale, specifying the door number of the street or other particulars, so that the exact place may be identified.

and you shall furnish such returns of sales as the Board of Revenue or the officer having the chief control of the Abkári revenue may, from time to time, prescribe

7. You shall place this license in a conspicuous place in your shop and put in front of your shop a signboard on which the name of the liquor sold by you shall be legibly inscribed in English and in the vernacular language of the locality.

8. Every bottle, jar and cask containing Colombo arrack flavoured or coloured, blended or compounded in India received into, or kept for sale in, your shop or depôt, shall be conspicuously labelled or branded with the words "Spirit manufactured in India."

9. You shall not rectify spirits by purifying, colouring, flavouring or mixing any material therewith.

10. The fee on this license shall be payable one-half when the license is issued and the other half on 1st October 189 . If the license is taken out after 1st October, the whole of the fee due shall be payable when the license is issued.

11. You shall not sell any Colombo arrack or keep the premises open between the hours of 10 P.M. and 6 A.M., except with the permission of the Deputy Commissioner, Central Division.

12. You shall not sell, transfer or sub-rent your privilege to any other person without the Deputy Commissioner's permission.

13. In case of any breach of the conditions of the license either by you, or, with your connivance and privity, by any person in your employment, it shall be competent to the Deputy Commissioner, Central Division, to impose upon you a fine not exceeding Rs. 10 for every such breach of such conditions or cancel the license forthwith.

14. This license shall also be revocable by the Deputy Commissioner, Central Division, with the sanction of the Board of Revenue, or of the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case a proportionate part of the fee paid by you will be refunded to you.

Dated the day of 189 .

Deputy Commissioner of Salt and Abkári Revenue,

Central Division.

Inspector.

Head Clerk.

Orde 155, para. 9.]

FORM F. L. 13.

License to Chemists and Druggists for the Sale of Pure Rectified Spirits only.

I, Collector of
under the provisions of the Madras Abkári Act, 1886, in consideration of the payment of a sum of Rs. 10. the receipt of which is hereby acknowledged hereby license you to sell pure rectified spirit from your shop at
during the official year ending 31st March 189 , subject to the following conditions and stipulations to be observed by you, the said
viz.

1. You shall not keep or sell by virtue of this license any other liquor than rectified spirit, which means pure rectified spirit imported from foreign countries by sea or manufactured in this country and excised at the tariff rate of duty

2. You shall not possess more than 10 imperial gallons (or such larger quantity as the Board may specially authorize) of rectified spirit at a time.

3. You shall not sell rectified spirit otherwise than for *bonâ fide* medical industrial and scientific purposes.

4. You shall not in one transaction sell more than one reputed pint of rectified spirit to any private individual, nor more than two reputed quarts to any chemist, medical practitioner or scientific body.

5. You shall keep a separate account of the daily transactions under this license in the following form. Such account, as well as the stock of rectified spirit maintained by you, shall be immediately produced on demand for inspection by any Abkári officer of not lower rank than Assistant Inspector:—

Date	Opening balance.	Quantity received	Source of supply with number of letter of advice received.	Total quantity in hand and received.	Quantity sold in each transaction.	Name of purchaser.	Address of purchaser.	Purpose for which required.	Total quantity sold each day.	Remarks.
1	2	3	4	5	6	7	8	9	10	11

6. In case of any breach of the conditions of this license eith you or, by any person in your employment, it shall be competent to the Collector to impose on you a fine not exceeding Rs. 10 for every such breach of such conditions or to cancel your license forthwith.

7. This license shall also be revocable by the Collector, with the sanction of the Board of Revenue, or the officer having the chief control of the Abkári revenue, for any other cause on giving fifteen days' notice of such revocation, in which case a proportionáte part of the fee paid by you will be refunded to you.

Dated the day of 189

Collector.

concentration of manufacture will pave the way for the introduction of the Excise system.

15. Except in rented areas at shops where there is a still, arrack and toddy should not be sold in the same shop even under separate licenses.

16. There is no objection to the purchasers of shops sold separately also renting the neighbouring farms.

17. Collectors may sanction the transfer of shops from one renter to another without the sanction of the Board.

18. It is left to Collectors to fix the localities and number of shops for the sale of foreign spirits, but it is not advisable to increase the number of such shops without very strong reasons so as not to interfere with the country spirit vendors.

19. The renter of any arrack or toddy farm is at liberty to sub-let the whole of any portion of it, but the renter will continue to be responsible for the rental. Arrack farm sub-renters must obtain their spirits from the taluk renters' depôts

B. P., 30th May, 1884, No. 1818; 19th July, 1884, No. 2,489; B. P., 14th October, 1884, No. 3,554; B. P., 14th November, 1884, No. 3,866; G. O., 26th February, 1885, No. 251, Rev.; B. P., 25th February, 1886, No. 494; Proceedings of Commissioner of Salt and Abkari Revenue, 22nd April, 1886, No. 4,959; B. P., 10th July, 1886, No. 1,576; B. P., 12th January, 1887, No. 38; B. P., 4th May, 1887, No. 77; B. P., 29th August, 1887, No. 413; B. P., 3rd March, 1888, No. 156; B. P., 23rd August, 1888, No. 421; B. P., 11th September, 1888, No. 455; G. O., 2nd October, 1888, No. 5,822; B. P., 6th August, 1889, No. 283; B. P., 6th September, 1889, No. 314.

155. Licenses and Engagements.—No time should be lost in the issue of Abkari licenses. With this object, as soon as the Collector has confirmed the auction sales, or tenders have been accepted, the purchasers of farms should be supplied with copies of the forms of engagement for sub-renters, depôt and shopkeepers. These engagements should be printed on stamped paper with blanks for the names of individuals and places. The farmer should stamp duty at the time when he is furnished with them. The contractor will fill up the blank forms and have them signed and forward them to the officer appointed to issue the licenses. The Divisional officers, to whom the power of granting licenses has been delegated, will be supplied with a list of shops &c. and blank forms of licenses, which will be filled up and issued as soon as the engagements are received. The shopkeeper's license and engagement should be in the name of the person actually in charge of the shop.

2. The engagements of the renters of farms, the annual rental of which exceeds Rs. 1,000, should be registered.

3. An independent shopkeeper in a private-distillery-supply tract is not a renter, and consequently his engagement need not be registered.

4. Licenses for the wholesale vend of spirits should not be refused unless the applicant is a bad character or some other reason exists which would be held to disqualify him from holding a contract under Government.

5. The manager of a distillery need not obtain a license if he holds a power-of-attorney authorizing him to act under the distiller's license.

6. Private distillers and warehouse-keepers are bound, under the distillery rules, to execute agreements binding themselves, their heirs and assigns to observe the conditions of their licenses and hypothecating the distillery or warehouse buildings, machinery and apparatus, together with the stock of spirits, as security for all sums which may become due to Government. The form of deed now in use is applicable to a succession of licenses renewed from year to year.—*Vide* Appendix.

7. The licenses of arrack and toddy farmers, who have exclusive privileges, must be issued by the Collector himself. All other licenses can be issued by Divisional officers if this power has been delegated to them.

8. The extent to which the condition of the license that shopkeepers shall keep accounts, should be enforced, will be left to the discretion of the Collector, and no action will be taken against shopkeepers unless the Collector has notified that the obligation should be enforced.

9 There is no special form of engagement to be executed by holders of licenses for the sale of foreign spirit. The license should be copied on a stamp paper and an engagement written at the foot.

10. Clubs, other than proprietary Clubs, are not bound to take out licenses to sell spirits to members.

11. Colombo arrack can be sold in shops licensed for the sale of foreign spirits.

12. At the beginning of toddy leases the Collector may allow renters one month's time to complete their arrangements with

shopkeepers. During this month sale without license may be permitted in sanctioned shops by shopkeepers in possession of written passes from the renters. Licenses may be issued whenever applied for by the renter, but sale without license under a renter's pass is not permissible after the first month of a lease.

13. Toddy farms are not supposed to be self-supporting. The farmer's right is exclusive merely as regards sale. Farmers may obtain their toddy from any place either inside or outside the limits of their farms, and permits for the transport of toddy should be granted freely to farmers and shopkeepers.

14. Independent toddy shopkeepers, except in areas where the tree tax system is in force, may obtain their supplies from any source.

15. Renters or shopkeepers should be supplied by the Tahsildar with blank forms of licenses with counterfoils. They will enter the names of the toddy drawers, sign the counterfoil, and present them to the Tahsildar, Deputy Tahsildar, Taluk Sheristadar, Revenue Inspector, or head of the village, as may be convenient. This officer will sign the license and counterfoil and hand over the former to the toddy drawer and send the counterfoil to the Tahsildar, keeping a register of all licenses so issued. The license issued by a village headman will cover transport to any village in the taluk.

16. Sweet palm juice drawn in lime-coated pots is exempted from the operation of the Act.

17. When a renter makes default and his farm is resold, the shopkeepers' licenses remain valid until they are cancelled by the Collector.

B. P., 30th September, 1884, No. 3,409; B. P., 5th June, 1886, No. 1,250; B. P., 30th June, 1886, No. 1,478; G. O., 11th January, 1887, No. 18, Rev.; B. P., 23rd March, 1887, No. 578; B. P., 23rd April, 1887, No. 38; B. P., 29th September, 1887, No. 511; B. P., 17th January, 1888, No. 29; B. P., 6th February, 1888, No. 80; B. P., 6th March, 1888, No. 135; B. P., 7th March, 1888, No. 139; B. P., 19th March, 1888, No. 173; B. P., 2nd May 1888, No. 238; G. O., 24th September, 1888, No. 682; B. P., 15th August 1889, No. 298.

156. Rights of toddy renters.—In rented districts the toddy renter will ordinarily be allowed the use of all toddy-producing trees growing on Government waste, but he will be entitled to no compensation when the trees are withdrawn from the operation of his contract, or the land is given to ryots for cultivation. He is

not entitled to the use of the trees growing upon demarcated and reserved forests. Where the tapping of such trees can be safely permitted, the right to draw toddy may be leased out annually.

2. In areas in which the shops are sold separately of the tree-tax system is in force, the right of tapping trees on Government waste shall vest in the nearest shopkeeper. Ordinarily such trees should be marked to the first applicant, the question of priority of right not being considered until a dispute arises.

3. Shopkeepers in such areas should not be allowed to claim the right of tapping trees usually leased for leaves and fruit.

4. The Collector can cancel tree-tapping licenses if the person on whose application they were granted becomes a defaulter.

G. O., 21st June, 1887, No. 597, Rev.; B. P., 22nd March, 1889, No. 124; B. P., 5th July 1889; No. 224

157. Collections.—Punctual payment of rents by farmers and shopkeepers should be enforced and prompt measures should be taken to resell farms and shops on the least symptom of default.

2. Under the conditions of the licenses, if a farmer or shopkeeper fails to pay the kist due in any month before the 25th of that month, notice should be immediately given that the farm or shop will be resold upon a date not later than the fifth of the next month. But the Collector may proceed to realize arrears as soon as the licensee makes default.

3. It is not always advisable to issue coercive process immediately on default, but a small fine may be levied under the conditions of the licenses in order to enforce punctuality in the payment of kists. A scale may be drawn up and published with a warning that it will be rigidly enforced in every case of delay.

4. There is no objection to the payment of arrears at any time up to sunset on the day before that fixed for the resale, provided interest is also paid on the arrears up to the date of payment.

5. Renters may make the deposits required at the commencement of a lease in cash or Government promissory or stock notes. If they elect to deposit promissory notes and Government paper becomes depreciated before the end of the lease, the promissory notes may be returned upon payment of the full amount of the kists due in cash. But if the renters elect that Government

PROCEEDINGS OF THE BOARD OF REVENUE.

READ—the following letter from J. THOMSON, Esq., Acting Collector of the Godávari District, to the Secretary to the Board of Revenue, dated Cocanada, 3rd May 1886, No. 168 :—

Referring to Board's Proceedings of 20th March 1886, No. 998, regarding liquor obtained from the Rajahmundry club. I have the honor to state that the High Court by Proceedings of 12th March 1886, No. have set aside the conviction in the case submitted to it and the other case having been appealed to the Joint Magistrate, the conviction has similarly been quashed.

2. With regard to paragraph 2 of the proceedings, I have to state that liquor is obtained by the club from Home or from Madras and supplied to members on their orders. The club holds no license to sell liquor for consumption in or outside its premises. The liquor sellers of Rajahmundry petitioned the Sub-Collector in June last, stating that the Europeans were getting liquor from the club for home use contrary to the rules for liquor traffic, and wished this stopped. The club claimed that the Abkari rules were not applicable to a club which is a private institution and not a refreshment room where liquor is sold to the public. The Sub-Collector (Mr. Jagga Rão) considered that the rules regarding refreshment rooms did not apply and the Collector (Mr. Foster) concurred "so long as the transactions take place between the club and its members."

Reference on the above, dated 14th May 1886.

Referred for the remarks of the Commissioner of Salt and Abkári Revenue, through whom this letter should have been submitted.

(Signed) M. HAMMICK,
Acting Secretary.

To the Commissioner of Salt and Abkári Revenue,
with letter, in original, to be returned

READ—the following letter from C. A. GALTON, Esq. Acting Commissioner of Salt and Abkári Revenue, to the Secretary to the Board of Revenue, dated Madras, 18th May 1886, No. 6210 :-

In reply to Board's Reference, dated 14th May 1886, on their General Register No. 2315 of 1886, which is herewith returned, I have the honor to state that no permits are required in the case of foreign liquor with reference to the proviso to section 10 of the new Abkári Act.

2. With reference to paragraph 2 of the Collector's letter, I concur in Mr. Foster's view that it is not necessary for a club to take out a license for supplying liquor to its members. It is not a shop, a tavern, refreshment room or hotel, and the member supplied being a joint proprietor of the stock, the issue of liquor to him cannot be regarded as an ordinary sale

Reference on the above, dated 10th June 1886.

The papers will be referred to the Acting Advocate-General for an expression of opinion as to whether it is necessary for a club to take out a license for supplying liquor to its members. Act I of 1886, Madras, section 10, lays down that no liquor shall be *sold* without a license, and under section 3, clause (14), *selling* includes any

transfer otherwise than by way of gift. Looking however to the constitution of clubs in this country, it seems open to question whether transactions in articles—the property of the club—between members of the club constitute sales, and whether therefore such transactions in liquor require the possession of a sale license on the part of the club.

(Signed) M. HAMMICK,
Acting Secretary.

To the Acting Advocate-General,
with letters, in original, to be returned.

READ—the following letter from H. H. SHEPHARD, Esq., Acting Advocate-General, to the Secretary to the Board of Revenue, dated Ootacamund, 21st June 1886 :—

With reference to the Proceedings of the Board, dated 10th June 1886, No. 2315, I have the honor to forward my opinion on the question raised.

I return all the papers.

ENCLOSURE No. 1.

Opinion.

I find that the question whether clubs should take out licenses to sell liquor has been considered by the Advocate-General more than once and answered in the negative. So far as clubs of the ordinary kind and not of a proprietary character are concerned, I am of the same opinion, and I am confirmed in it by seeing that the same conclusion has been arrived at on the English Statute (see Graff *v.* Evans, 8, N.B.D., 373).

21st June 1886. (Signed) H. H. SHEPHARD,
Ag. Advocate-General.

RESOLUTION—dated 30th June 1886, No. 1478.

The Advocate-General's opinion will be communicated to the Commissioner of Salt and Abkári Revenue and all Collectors.

(True Copies and Extract.)

(Signed) M. HAMMICK,
Acting Secretary.

(True Copy.)

(Signed) C. RAJU SASTRI,
Ag. First Assistant.

To the Commissioner of Salt and Abkári Revenue.
„ all Collectors.
Copy to the Advocate-General.

Exd. W. J. Lewis.

800
29-6-97

REVENUE BOARD OFFICE

(SEPARATE REVENUE),

Madras,

Dated 15th April 1898.

No. 1479
Mis

From

C.G.Todhunter,Esquire.,I.C.S

Ag. Secretary to the Commissioner of Salt,

Abkâri and Separate Revenue,

To

The Deputy Commissioner,

Kâdur District.

SIR,

With reference to your letter,No:411,dated 26th March 1898,I am desired to send you herewith,a copy of Board's Standing Order, No:155.

2. As regards the issue of licenses to non-proprietary clubs, the Advocate-General,Madras, has expressed an opinion that clubs of the ordinary kind and not of a proprietary character need not take out licenses to - sell liquor - vide his letter in Board's Proceedings No:1478.dated 30th June 1886, a copy of which is herein enclosed.

I have the honour to be.

Sir.

Your most obedient Servant

Copied by

Compared by 16/4/98.

C.G.Todhunter
Ag Assistant Secretary.

1898.

From

THE SECRETARY TO THE COMMISSIONER

SALT, ABKÁRI AND

SEPARATE REVENUE,

Madras,

To

The Deputy Commissioner,

Kadur District.

Submitted to the D.C.

The references are with the Excise Clerk who is now in Camp with the Govt. Asst.: - She has been requested to submit them direct to the D.C.

22/4/98.

Dated

Despatched 15th April 1898.

Received

His No. 1479

ENCLOSURE. 2

Subject.

Forwarding to the Deputy Commissioner, Kadur district, a copy of Board's Standing Order, No:155, and stating that the Advocate-General, Madras, is of opinion that non-proprietary clubs need not take out licenses for the sale of liquor.

Ex. 3.

Gen. 30]

REVENUE DEPARTMENT
No. 53
JUL 5 - 1898
1896-99

24

18

From

Excise Commissioner
in Mysore

To

The Secretary to the Govt. of Mysore,
General & Revenue Dept.

Dated 4th July 1898.

Despatched

Received

General No. 75
No. 5

Enclosure No. 1

In reply to

SUBJECT.

on continuation of his office letter No: 1871/410, dated 18th May 1898, submitting copy of communication from the Deputy Commissioner, Hassan District, about the club at Saklespur and solicits early orders in the matter.

References (to be entered only in the Dewan's Office).

7/7/98 RW 5/7/98

The previous references are before Government having been submitted on 28th June 98 - to Secretary

Submitted for orders.

RB 8/7/98 C 8/7/98

25

No: 75/5 Enc: 1

Excise Commissioner's office
Bangalore, dated 4th July 1898

From

The Excise Commissioner
in Mysore

To

The Secretary to the
Government of Mysore
General & Revenue Department

Sir,

In continuation of my letter No: 7871/410, dated 18th May 1898, regarding the issue of licenses on account of Foreign liquors used in Clubs, I have the honor to submit herewith copy of docket No: 7, dated 1st July 1898, from the Deputy Commissioner, Hassan District, about the club at Sakleshpur, and to solicit the favor of early orders in the matter.

I have the honor to be,
Sir,
Your most obedient Servant,

[signature]

For Excise Commissioner
&c in Mysore

From

The Deputy Commissioner
Hassan District

To

The Excise Commissioner
in Mysore

Dated 1st July 1898.

General No: 7
No: Inis:

Enclosure one.

In forwarding, herewith, Kunjarabad Taluk Amildar's report No: 138 of the 15th instant, regarding the recovery of license fee recoverable on the European Club at Arkalgud has the honor to request that final orders may kindly be sent, as the official year has almost come to a close, and the license fee remains unadjusted.

(Signed) B. G. Krishnaiengar.
Deputy Commissioner
Hassan District

"Copy"

[illegible]

For Commr Commissioner
in Mysore

S.R.7 56 of 1897

SLS

Read again (19) 27

Govt Resp no 5408-89/Ex. 215 of the 15th Decr 1896, deprecating the liability of clubs, corporations &c. to take out licenses for the sale of foreign spirits and foreign fermented liquors

Read also —

Correspondence ending with letter No. 75/5 of the 4th Jany 1898 from the Excise Commr in Mysore

Order thereon No 738/Ex. 39. 26.7.98/26/98

It having been represented that the exaction of licenses from clubs under the Order of the 15th Decr 1896 is felt as a hardship, and that the practice in other parts of India is different the Govt are pleased, under S. 56 of the Excise Act 1881, as applied to the territories of Mysore by Regln III of 1884

to exempt clubs of the ordinary kind, and not being of a proprietary character, from such of the provisions of the said Act as require them to take out licenses ~~to be taken out~~ for the sale of foreign spirits and foreign fermented liquors, so long as the clubs confine themselves to selling the same to members only.

2. A notification to the above effect will be published in the Gazette.

23-7-98

23/7/98

To The Excise Commr in Mysore

~~Will~~ Send ~~under~~ note for necessary

23.7.98

S.R.F. 56 of 1892-8

739

Ex. 41

26/7/98

SL 6

29

Notification

In exercise of the power conferred by section 56 of the Excise Act, 1881, as applied to the Territories of Mysore by Regulation III of 1888, the Govt. of Mysore are pleased to exempt clubs of the ordinary kind, and not being of a proprietary character, from such of the provisions of the said Act as require them to take out license for the sale of foreign spirits and foreign fermented liquors so long as the clubs confine themselves to selling the same to their members and

23/7/98

23/7/98

Secretary

To The Compiler, Mysore Gazette
for publn in 3 succ. issues.
The Ex: Comr in Mysore

740

Ex. 41

Proceedings of the Government of Mysore, Excise, dated 26th July 1898.

READ AGAIN—

Government Proceedings No. 5488-89—Ex. 215, dated the 15th December 1896, defining the liability of clubs, corporations, &c., to take out licenses for the sale of foreign spirit and foreign fermented liquor.

READ ALSO—

Correspondence ending with letter No. 75—5, dated the 4th July 1898, from the Excise Commissioner in Mysore.

No. 738—Ex. 39, DATED BANGALORE, 26TH JULY 1898

ORDER THEREON.—It having been represented that the exaction of license from clubs under the order of the 15th December 1896 is likely to be felt as hardship, and that the practice in other parts of India is different, the Government are pleased, under Section 56 of the Excise Act, 1881, as applied to the Territories of Mysore by Regulation III of 1885, to exempt clubs of the ordinary kind, and not being of a proprietary character, from such of the provisions of the said Act as require them to take out licenses for the sale of foreign spirit and foreign fermented liquor, so long as the clubs confine themselves to selling the same to their members only.

2. A Notification to the above effect will be published in the *Gazette*.

C. SREENIVASIENGAR
Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore.

NOTIFICATION.

No. 739—Ex. 40, *dated 26th July* 1898.

In exercise of the power conferred by Section 56 of the Excise Act, 1881, as applied to the Territories of Mysore by Regulation III of 1885, the Government of Mysore are pleased to exempt clubs of the ordinary kind, and not being of a proprietary character, from such of the provisions of the said Act as require them to take out licenses for the sale of foreign spirit and foreign fermented liquor, so long as the clubs confine themselves to selling the same to their members only.

By Order,
C. SREENIVASIENGAR
Secy. to Govt., Gen. & Rev. Depts.

1898-99

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

Dated 26th July 1898

No. 738
Ex. 39

Exempting, under Section 56 of the Excise Act of 1881, a clubs of the ordinary kind, and not being of proprietary character, from taking out licenses for the sale only to the members thereof of foreign spirit and foreign liquor.

MGCPB – 9-8-98-200

(2.5)

Proceedings of the Government of Mysore. Excise, dated 26th July 1898.

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By Order,
SREENIVASIENGAR
Secy. to Govt., Gen. & Rev. Depts.

Exd.—C.V.

1898-99

GOVERNMENT OF MYSORE

EXCISE

PROCEEDINGS

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MGCPB -9.8.98-200